



भारत का राजपत्र The Gazette of India

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 16

नई दिल्ली, शनिवार, अप्रैल 18, 1992/चैत्र 29, 1914

No 16

NEW DELHI, SATURDAY, APRIL 18, 1992/CHAITRA 29, 1914

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii) PART II—Section 3— Sub-section (ii)

(रक्षा मंत्रालय की छोड़कर) भारत सरकार के मंत्रालयों द्वारा जारी किए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications issued by the Ministries of the Government of India (other
than the Ministry of Defence)

निधि और न्याय मंत्रालय
(विधि कार्य विभाग)

सूचना

नई दिल्ली, 3 मार्च, 1992

MINISTRY OF LAW AND JUSTICE

(Department of Legal Affairs)

(Judicial Section)

NOTICE

New Delhi, the 3rd March, 1992

S.O. 1029.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. Ramesh Chand Sharma Advocate for appointment as a Notary to practise in Ajmer Rajasthan.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(69)/92-Judl.]

P. C. KANAN, Competent Authority.

सूचना

नई दिल्ली, 2 मार्च, 1992

का.आ. 1030.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती

का.आ. 1029—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री रमेश चन्द्र शर्मा, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे अजमेर (राजस्थान) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौवह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं.फा 5(69)/92-न्यायिक]

पी.सी. कणन, सक्षम प्राधिकारी

है कि श्री एस.एन. देराश्री एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे भीलवारा (राजस्थान) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं.फा. 5(67)/92-न्यायिक]

पी.सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 3rd March, 1992

S.O. 1030.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri S. N. Derashri Advocate for appointment as a Notary to practise in Bhilwara Rajasthan.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(67)/92-Judl.]

P. C. KANAN, Competent Authority.

सूचना

नई दिल्ली, 4 मार्च, 1992

का.आ. 1031:— नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री आर श्रीरामैया एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे बंगलौर मेट्रोपोलिटान क्षेत्र (कनटिक) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं.फा. 5(72)/92-न्यायिक]

पी.सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 4th March, 1992

S.O. 1031.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. R. Sriramalah Advocate for appointment as a Notary to practise in Bangalore Metropolitan area.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F.5(72)/92-Judl.]

P. C. KANAN, Competent Authority.

सूचना

नई दिल्ली, 6 मार्च, 1992

का.आ. 1032:— नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री मुरारी लाल मिट्टा एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे अनूपगढ़ जिला श्रीगंगानगर (राजस्थान) व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं.फा. 575)/92-न्यायिक]

पी.सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 6th March, 1992

S.O. 1032.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. Murari Lal Middha Advocate for appointment as a Notary to practise in Bhilwara Rajasthan, Distt. Sriganganagar (Rajasthan).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F.5(75)/92-Judl.]

P. C. KANAN, Competent Authority.

सूचना

नई दिल्ली, 6 मार्च, 1992

का.आ. 1033:— नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री चरणजीत नारायण एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे जिला दरभंगा (बिहार) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं.फा. 5(24)/92-न्यायिक]

पी.सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 6th March, 1992

S.O. 1033.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. Charanjet Narayan Advocate for appointment as a Notary to practise in Darbhanga Distt. Bihar.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(74)/92-Judl.]

P. C. KANAN, Competent Authority.

सूचना

नई दिल्ली, 9 मार्च, 1992

का.आ.1034:- नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि कुमारी सतवन्त कौर एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे जालंधर (पंजाब) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. फा. 5(78)/92-न्यायिक]

पी. सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 9th March, 1992

S.O. 1034.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Miss. Satwant Kaur Advocate for appointment as a Notary to practise in Jalandhar ((Punjab).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(78)/92-Judl.]

P. C. KANAN, Competent Authority.

सूचना

नई दिल्ली, 9 मार्च, 1992

का.आ.1035:- नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री राजेन्द्र पाल एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे जालंधर (पंजाब) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. फा. 5 (79)/92-न्यायिक]

पी. सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 9th March, 1992

S.O. 1035.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. Rajender Paul Advocate for appointment as a Notary to practise in Jalandhar (Punjab).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(79)/92-Judl.]

P. C. KANAN, Competent Authority

सूचना

नई दिल्ली, 9 मार्च, 1992

का.आ.1036:- नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री सुदर्शन लाल मेहता एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे जालंधर (पंजाब) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. फा. 5 (77)/92-न्यायिक]

पी. सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 9th March, 1992

S.O. 1036.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. Sundarsh Lal Mehta Advocate for appointment as a Notary to practise in Jalandhar (Punjab).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(77)/92-Judl.]

P. C. KANAN, Competent Authority.

सूचना

नई दिल्ली, 9 मार्च, 1992

का.आ.1037:- नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री कृष्ण कुमार एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे नोकावर तहसील, जिला जालंधर (पंजाब) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. फा. 5(76)/92-न्यायिक]

पी. सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 9th March, 1992

S.O. 1037.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under

Rule 4 of the said Rules, by Sh. Krishan Kumar Advocate for appointment as a Notary to practise in Nokadar Tehsil Distt. Jalandhar (Punjab).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(76)/92-Judl.]

P. C. KANAN, Competent Authority.

सूचना

नई दिल्ली, 13 मार्च, 1992

का.आ. 1038:— नोटरीज नियम, 1956 के नियम के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्रीमति इन्द्रा कौल एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे नोएडा (उ.प्र.) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. फा. 5 (80)/92-न्यायिक]
पी. सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 13th March, 1992

S.O. 1038.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Smt. Indira Kaul Advocate for appointment as a Notary to practise in NOIDA (U.P.).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(80)/92-Judl.]

P. C. KANAN, Competent Authority.

सूचना

नई दिल्ली, 17 मार्च, 1992

का.आ. 1039:— नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री विक्रम सिंह वर्मा एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे बुलन्द शहर (उ.प्र.) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. फा. 5(84)/92-न्यायिक]
पी. सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 17th March, 1992

S.O. 1039.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under

Rule 4 of the said Rules, by Sh. Vikram Singh Verma Advocate for appointment as a Notary to practise in Buland Shahar (U.P.);

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(84)/92-Judl.]

P. C. KANAN, Competent Authority.

सूचना

नई दिल्ली, 20 मार्च, 1992

का.आ. 1040:— नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री सुधांशु बिस्वास एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे बहरामपुर, मुर्शिदाबाद (पं. बंगाल) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. फा. 5 (88)/92-न्यायिक]
पी. सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 20th March, 1992

S.O. 1040.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. Sudhansu Biswas Advocate for appointment as a Notary to practise in Berhampur Murshidabad (West Bengal).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(88)/92-Judl.]

P. C. KANAN, Competent Authority.

सूचना

नई दिल्ली, 23 मार्च, 1992

का.आ. 1041:— नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री गौर चन्द्र बसु एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे बसीर हट, (जिला न्यायालय) पश्चिम बंगाल में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. फा. 5 (91)-92-न्यायिक]

पी. सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 23rd March, 1992

S.O. 1041.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. Gaur Chandra Basu Advocate for appointment as a Notary to practise in Basirhat Distt. Courts (West Bengal).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(91)/92-Judl.]

P. C. KANAN, Competent Authority.

सूचना

नई दिल्ली, 23 मार्च, 1992

का.आ. 1042:—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री शान्ति देव त्रिपाठी, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे बहराईच (उत्तर प्रदेश) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. फा. 5 (90)/92-न्यायिक]

पी.सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 23rd March, 1992

S.O. 1042.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. Shanti Deo Tripathi Advocate for appointment as a Notary to practise in Beharaich U.P.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(90)/92-Judl.]

P. C. KANAN Competent Authority.

सूचना

नई दिल्ली, 24 फरवरी, 1992

का.आ. 1043:—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री मुख्तियार सिंह राठी एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे पानीपत (हरियाणा) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. फा. 5 (59)/92-न्यायिक]

पी.सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 24th February, 1992

S.O. 1043.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri Mukhtiar Singh Rathke Advocate for appointment as a Notary to practise in Panapat, Haryana.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(59)/92-Judl.]

P. C. KANAN, Competent Authority.

सूचना

नई दिल्ली, 24 फरवरी, 1992

का.आ. 1044:—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री कश्मीरी लाल खेरा एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे रोहतक जिला (हरियाणा) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. फा. 5(58)/92-न्यायिक]

पी.सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 24th February, 1992

S.O. 1044.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Kashmiri Lal Khara Advocate for appointment as a Notary to practise in Rohtak District (Haryana).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(58)/92-Judl.]

P. C. KANAN, Competent Authority.

सूचना

नई दिल्ली, 25 मार्च, 1992

का.आ. 1045:—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री पुरषोत्तम मिशन एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे दिल्ली व हरियाणा में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. फा. 5 (101)/92-न्यायिक]

पी.सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 25th March, 1992

S.O. 1045.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule

4 of the said Rules, by Shri Purshottam Mittal Advocate for appointment as a Notary to practise in Delhi and Haryana.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(101)/92-Judl.]

P. C. KANAN, Competent Authority.

सूचना

नई दिल्ली, 25 मार्च, 1992

का.आ. 1046:—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री महेश चन्द दीक्षित ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे दिल्ली में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. फा. 5 (105)/92-न्यायिक]

पी.सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 25th March, 1992

S.O. 1046.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri Mahesh Chand Dixit Advocate for appointment as a Notary to practise in Delhi.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(105)/92-Judl.]

P. C. KANAN, Competent Authority.

सूचना

नई दिल्ली, 25 मार्च, 1992

का.आ. 1047:—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री रामजी बलराम कृष्ण शुक्ला एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे बहराईच (उ.प्र.) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. फा. 5 (99)/92-न्यायिक]

पी.सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 25th March, 1992

S.O. 1047.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri Ramji Balram Krishna Shukla Advocate for appointment as a Notary to practise in Bahraich (U.P.);

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(99)/92-Judl.]

P. C. KANAN, Competent Authority.

सूचना

नई दिल्ली, 25 मार्च, 1992

का.आ. 1048:—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री एम.एल. मिड्हा एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे दिल्ली में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. फा. 5 (102)/92-न्यायिक]

पी.सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 25th March, 1992

S.O. 1048.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri M. L. Midha Advocate for appointment as a Notary to practise in U. T. of Delhi.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(102)/90-Judl.]

P. C. KANAN, Competent Authority.

सूचना

नई दिल्ली, 25 मार्च, 1992

का.आ. 1049:—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री राजेन्द्र कुमार गुप्ता एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे तीस हजारी कोर्ट, दिल्ली में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. फा. 5 (103)/92-न्यायिक]

पी० सी० कण्णन, सक्षम अधिकारी

NOTICE

New Delhi, the 25th March, 1992

S.O. 1049.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri Rajendra Kumar Gupta Advocate for appointment as a Notary to practise in Tis Hazari Courts, Delhi.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(103)/92-Judl.]

P. C. KANAN, Competent Authority.

सूचना

नई दिल्ली, 25 मार्च, 1992

का.आ. 1050.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री जहीर मियां एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे दिल्ली में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. फा. 5(104)/92-न्यायिक]

पी० सी० कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 25th March, 1992

S.O. 1050.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri Zaheer Mian Advocate for appointment as a Notary to practise in Delhi.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(104)/92-Judl.]

P. C. KANAN, Competent Authority.

सूचना

नई दिल्ली, 26 मार्च, 1992

का.आ. 1051.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि कुमारी प्रेमलता एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे छत्तरपुर महरोली, नई दिल्ली में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. फा. 5(107)/92-न्यायिक]

पी० सी० कण्णन, सक्षम अधिकारी

NOTICE

New Delhi, the 26th March, 1992

S.O. 1051.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by M/s Prem Lata Advocate for appointment as a Notary to practise in Chattarpur, Mehrauli, New Delhi.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(107)/92-Judl.]

P. C. KANAN, Competent Authority.

सूचना

नई दिल्ली, 27 फरवरी, 1992

का.आ. 1052.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री नेमी चन्द गर्ग एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे करौली (जिला सर्वाई माधोपुर) राजस्थान व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. फा. 5(63)/92-न्यायिक]

पी० सा० कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 27th February, 1992

S.O. 1052.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri Nemi Chand Garg Advocate for appointment as a Notary to practise in Karauli, District Swat Madhopur, (Rajasthan).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(63)/92-Judl.]

P. C. KANAN, Competent Authority.

सूचना

नई दिल्ली, 27 फरवरी, 1992

का.आ. 1053.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री रविन्द्र चड्ढा एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे दिल्ली में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. फा. 5(139)/91-न्या.]

पी० सी० कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 27th February, 1992

S.O. 1053.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri Ravinder Chadha Advocate for appointment as a Notary to practise in Delhi.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(139)/92-Judl.]

P. C. KANAN, Competent Authority.

सूचना

नई दिल्ली, 27 फरवरी, 1992

का.आ. 1054.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री बी.ए. हसनाब्बा एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे कोडागू जिला (कर्नाटक) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. फा. 5(62)/92-न्यायिक]

पी० सी० कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 27th February, 1992

S.O. 1054.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri B. A. Hasanabha Advocate for appointment as a Notary to practise in Kodagu District (Karnataka).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(62)/92-Judl.]

P. C. KANAN, Competent Authority.

सूचना

नई दिल्ली, 28 फरवरी, 1992

का.आ. 1055.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री के.सी. कौशिक एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे गाजियाबाद (उ.प्र.) व दिल्ली में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. फा. 5(66)/92-न्यायिक]

पी० सी० कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 28th February, 1992

S.O. 1055.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule

4 of the said Rules, by Shri K. C. Kaushik Advocate for appointment as a Notary to practise in Ghaziabad (U.P.) and Delhi.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(64)/92-Judl.]

P. C. KANAN, Competent Authority.

सूचना

नई दिल्ली, 28 फरवरी, 1992

का.आ. 1056.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री शशि कान्त गलहोत्रा एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे अमोहर, जिला फिरोजपुर (पंजाब) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. फा. 5(61)/92-न्यायिक]

पी.सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 28th February, 1992

S.O. 1056.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri Shashi Kant Galhotra Advocate for appointment as a Notary to practise in Abohar, District Ferozpur, (Punjab).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(61)/92-Judl.]

P. C. KANAN, Competent Authority.

गृह मंत्रालय

(आसूचना ब्यूरो)

नई दिल्ली, 30 मार्च, 1992

का.आ. 1057.—आसूचना ब्यूरो (गृह मंत्रालय) नई दिल्ली के बाह्य स्थित कार्यालय "सहायक आसूचना ब्यूरो, अहमदाबाद", गुजरात के लगभग 100 प्रतिशत अधिकारियों एवं कर्मचारियों ने हिन्दी का कार्य साधक ज्ञान प्राप्त कर लिया है। अतः केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप नियम (4) के अनुसरण में ब्यूरो के सहायक आसूचना ब्यूरो, अहमदाबाद को एतद्वारा अधिसूचित करती है।

[संख्या 1/4/91-हिन्दी]

टी. गुइटे, उप निदेशक

MINISTRY OF HOME AFFAIRS

1

2

(Intelligence Bureau)

New Delhi, the 30th March, 1992

S.O. 1057.—Nearly 100 per cent officers/employees working in the "Subsidiary Intelligence Bureau, Ahmedabad, Gujarat" of the Intelligence Bureau (Ministry of Home Affairs), New Delhi have since acquired working knowledge in Hindi. As such, in pursuance of Sub-rule (4) of Rule (10) of the Official Language (use for official purposes of the union), Rules, 1976, the Central Government hereby notifies the above-mentioned office of the Bureau located in Ahmedabad.

[No. 1/4/91-Hindi]

T. GWITE, Dy. Director

(अन्तरिक्ष विभाग)

बैंगलूर मार्च 6, 1992

का.आ. 1058—लोक परिसर (अनाधिकृत दखलदारों की बेदखली) अधिनियम, 1991 (1991 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्रीय सरकार भारत के राजपत्र दिनांक सितम्बर 4, 1982 को भाग-II धारा 3 उपधारा (ii) में प्रकाशित भारत सरकार, अन्तरिक्ष विभाग की अधिसूचना दिनांक अगस्त 12, 1982 के का.आ. 3114 में निम्नलिखित संशोधन करती है। उक्त अधिसूचना के तालिका के कालम (1) और (2) में विद्यमान प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टियां प्रतिस्थापित की जायेगी।

अधिकारी का पदनाम लोक परिसर और क्षेत्राधिकार के स्थानीय सीमाओं की श्रेणियां

1	2
"इंजीनियर को संपदा प्रबन्धक इन्सैट प्रधान नियंत्रण सुविधा अन्तरिक्ष विभाग, हसन कर्नाटक के रूप में अभिहित"	(1) हसन में प्रधान नियंत्रण सुविधा काम्प्लेक्स का परि-सर है—हसन जिला में केंचमारनहल्ली के सर्वे संख्या 119, 13 तथा 52
	सीमाएं : उत्तर में हसन हलेबीड मार्ग, दक्षिण में मोन्जे मुगाना-हल्ली, पश्चिम में गोविन्दपुरा, पूर्व में सर्वे सं. 119 के बाकी क्षेत्र।
	(2) अन्तरिक्ष विभाग आवासीय कालोनी (अन्तरिक्ष नगर) में परिसर मोन्जे हलेहल्ली, हसन जिले में सर्वे सं. 22 तथा 24 हैं।

सीमाएं :

पूर्व में मोन्जे चिक्क हसनहल्ली

उत्तर में सर्वे सं. 21035

पश्चिम में सर्वे सं. 34,

2528, 26 और 27 और

कोप्पुल

दक्षिण में सर्वे सं. 65

[सं. 9/2/(2)/82-III(वाल्. II)]

श्रीमती उ. शंकर, उप सचिव

DEPARTMENT OF SPACE

Bangalore, the 6th March, 1992

S.O. 1058.—In exercise of the powers conferred by Section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby makes the following amendment in the notification of the Government of India, Department of Space, S.O. 3114, dated the August 12, 1982, published in the Gazette of India, Part II Section 3, Sub-section (ii), dated the September 04, 1982. In the Table to the said notification, in columns 1 and 2, the following entries shall be substituted in place of existing entries.

Designation of the Officer Categories of public premises and local limits of the jurisdiction

1	2
"Engineer designated as Estate Manager INSAT Master Control Facility Department of Space Hassan Karnataka"	(1) Premises of Master Countore Facility Complex at Hassan in Survey No 119, 13 & 52 of Kenchamaranaphalli in Hsaan District Boundaries: Hassan Halebid road on North Monje Muganahalli on South Govindapura on West Remaining area of S.No. 119 on East
	(2) Premises in the Department of Space Housing Colony (AntarikshNagar), in Survey Nos. 22 & 24 of Monje Harlahalli in Hassan District Boundaries: Monje Chkikuharanahalli East S.No. 21035 to North S.No. 34, 2528, 26 & 27 a Koppalu to West S. No. 65 to South

[No. 9/2(2)/82-III(Vol.II)]

Smt. U. SANKAR, Dy. Secy.

वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 4 मार्च, 1992

(आयकर)

का.आ. 1059.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 80जी को उपधारा (2) के खंड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा "अरुलमिगुविस्थागिरीश्वर मन्दिर, वृद्धाचलम-606001, साऊथ आरकोट जिला" को समस्त तमिलनाडु राज्य में एक विख्यात सार्वजनिक पूजास्थल के रूप में उक्त खंड के प्रयोजनार्थ अधिसूचित करती है।

यह अधिसूचना प्रथम चरण में उल्लिखित मरम्मत/नवीकरण संबंधी कार्य के लिए वैध होगी तथा इसे एच. आर. एंड सी. ई. आयुक्त द्वारा इस संबंध में अनुमोदित किया जाएगा।

[सं. 9008 (फा.सं. 176/45/91/आयकर) नि. 1]

भारत चन्द्र श्रवर सचिव

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 4th March, 1992

(INCOME-TAX)

S.O. 1059.—In exercise of the powers conferred by clause (b) of sub-section (2) of Section 80G of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Arulmigu Viruthagiriswarar Temple, Vriddha-chalam-606001, South Arcot Distt." to be a place of public worship of renown throughout the State of Tamilnadu for the purpose of the said section.

This notification will be valid only for the repair/renovation work mentioned in the first phase and approved by the HR & CE Commissioner in this regard.

[No. 9008 (F. No. 176/45/91-IT(AI))]

SHARAT CHANDRA, Under Secy.

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 31 मार्च, 1992

का.आ. 1060.—बैंककारी विनियम अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर, एतद्वारा घोषणा करती है कि उक्त अधिनियम की धारा 10-ख की उपधारा (1) एवं (2) के उपबन्ध, दि लक्ष्मी विलास बैंक लि. पर 11 मार्च, 1992 से 10 जून, 1992 की तीन माह की अवधि के लिए या नए अध्यक्ष एवं मुख्य कार्यपालक अधिकारी के पदभार ग्रहण करने तक इनमें से जो भी पहले हो, लागू नहीं होंगे।

[सं. 15/3/92-बी.ओ. III(i)]

के.के. मंगल, श्रवर सचिव

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 31st March, 1992

S.O. 1060.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government on the recommendations of the Reserve Bank of India, hereby declares that the provisions of sub-sections (1) and (2) of Section 10B of the said Act, shall not apply to the Lakshmi Vilas Bank Limited for a period of three months from 11th March, 1992 to 10th June, 1992 or till the new Chairman and Chief Executive Officer takes charge, whichever is earlier.

[No. 15/3/92-B.O.-III(i)]

K. K. MANGAL, Under Secy.

नई दिल्ली, 31 मार्च, 1992

का.आ. 1061.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिशों पर, एतद्वारा घोषणा करती है कि उक्त अधिनियम की धारा 10-ख की उपधारा (1) एवं (2) के उपबन्ध दि लक्ष्मी विलास बैंक लि. पर 11 मार्च, 1992 से 10 जून, 1992 तक अथवा बैंक के नए अध्यक्ष की नियुक्ति होने तक इनमें से जो भी पहले हो, उस सीमा तक लागू नहीं होंगे, जहां तक बैंक को चार महीने से अधिक के वास्ते के अध्यक्ष एवं मुख्य कार्यपालक अधिकारी का काम करने के लिए किसी व्यक्ति की नियुक्ति करने की छूट प्राप्त है।

[सं. 15/3/92-बी.ओ.-III (ii)]

के.के. मंगल, श्रवर सचिव

New Delhi, the 31st March, 1992

S.O. 1061.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government on recommendations of the Reserve Bank of India hereby declares that the provisions of sub-sections (9) of Section 10B of the said Act, shall not, to the extent they preclude the bank from appointing a person to carry out the duties of a Chairman beyond a period exceeding four months, apply to the Lakshmi Vilas Bank Limited from 11th March, 1992 to 10th June, 1992 or till the new Chairman and Chief Executive Officer takes charge whichever is earlier.

[No. 15/3/92-B.O.-III(ii)]

K. K. MANGAL, Under Secy.

नई दिल्ली, 1 अप्रैल, 1992

का.आ. 1062.—राष्ट्रीकृत बैंक (प्रबन्ध एवं प्रकीर्ण उपबन्ध) स्कीम, 1970 के खण्ड 3 के उपखण्ड (छ) के अनुसरण में, केन्द्रीय सरकार, एतद्वारा, नीचे दी गयी सारणी के कालम (2) में निर्दिष्ट व्यक्तियों को उक्त सारणी के कालम (3) में निर्दिष्ट व्यक्तियों के

स्थाना पर कालम (1) में निर्दिष्ट राष्ट्रीयकृत बैंकों का निदेशक नियुक्त करती है:—

सारणी

1	2	3
देना बैंक	श्री बी एस एम आचार्य संयुक्त मुख्य अधिकारी डी बी ओ डी भारतीय रिजर्व बैंक बम्बई।	श्री आर रामानुजम
इलाहाबाद बैंक	श्री गुरुमूर्ति संयुक्त मुख्य अधिकारी डी बी ओ डी भारतीय रिजर्व बैंक कलकत्ता।	श्री बी के बसु

[संख्या 9/13/92-बी.ओ.-1(I)]

एम.एस. सीतारामन, अव्वर सचिव

New Delhi, the 1st April, 1992

S.O. 1062.—In pursuance of sub-clause (g) of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government hereby appoints the persons specified in column (2) of the Table below as Directors of the nationalised banks specified in column (1) thereof in place of the persons specified in column (3) of the said Table.

TABLE

Dena Bank	Shri B.S.M. Acharya, Joint Chief Officer, DBOD, Reserve Bank of India, Central Office, Bombay.	Shri R. Ramanujam
Allahabad Bank	Shri S. Gurumurthy, Joint Chief Officer, DBOD, Reserve Bank of India, Calcutta.	Shri B.K. Basu

[F. No. 9/13/92-B.O.I(i)]

M. S. SEETHARAMAN, Under Secy.

नई दिल्ली, 1 अप्रैल, 1992

का.आ. 1063.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) योजना, 1980 के खण्ड 3 के उपखंड (छ) के अनुसरण में, केन्द्रीय सरकार, श्री आर. रामानुजम, संयुक्त मुख्य अधिकारी, डी.बी.ओ.डी., भारतीय रिजर्व बैंक,

नई दिल्ली को, श्री ए. क्यू. सिद्धिकी के स्थान पर, एतद्वारा न्यू बैंक आफ इंडिया के निदेशक के रूप में नियुक्त करती है

[सं. 9/13/92-बी.ओ. 1(ii)]

एम.एस. सीतारामन, अव्वर सचिव

New Delhi, the 1st April, 1992

S.O. 1063.—In pursuance of sub-clause (g) of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1980, the Central Government hereby appoints Shri R. Ramanujam, Joint Chief Officer, DBOD, Reserve Bank of India, New Delhi, as a Director of New Bank of India vice Shri A. Q. Siddiqui.

[F. No. 9/13/92-B.O.-J(ii)]

M. S. SEETHARAMAN, Under Secy.

(बैंकिंग प्रभाग)

नई दिल्ली, 1 अप्रैल, 1992

का.आ. 1064.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर, एतद्वारा यह घोषणा करती है कि उक्त अधिनियम की धारा 11 की उप-धारा (1) के प्रावधान अवध सहकारी बैंक लिमिटेड, लखनऊ पर इस अधिसूचना के राजपत्र में प्रकाशित होने की तारीख से 31 दिसम्बर, 1992 तक की अवधि के लिए लागू नहीं होंगे।

[एफ सं. 10(2)/91-विकास]

तेजिन्दर सिंह लश्चर, संयुक्त निदेशक

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 1st April, 1992

S.O. 1064.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government on the recommendation of the Reserve Bank of India, hereby declares that the provisions of Sub-section (1) of Section 11 of the said Act shall not apply to the Oudh Sahakari Bank Ltd., Lucknow, Uttar Pradesh for the period from the date of publication of this notification in the Gazette of India to December 31, 1992.

[F. No. 10(2)/91-Dev]

TEJINDER SINGH LASCHAR, Jt. Director

नई दिल्ली, 2 अप्रैल, 1992

का.आ. 1065.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के खण्ड 8 के उपखंड (1) के साथ पठित खण्ड 3 के उपखंड (क) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् एतद्वारा श्री के. कानन, वर्तमान महाप्रबन्धक, बैंक ऑफ बड़ोदा को उनके कार्यभार ग्रहण करने की तारीख से पांच वर्ष की अवधि के लिए देना बैंक के पूर्णकालिक निदेशक (कार्यकारी निदेशक के रूप में पदनामित) के रूप में नियुक्त करती है।

[संख्या एफ 9/61/91-बी.ओ.-1(1)]

के.जी. गोयेल, निदेशक

New Delhi, the 2nd April, 1992

S.O. 1065.—In pursuance of sub-clause (a) of clause 3 read with sub-clause (1) of clause 8 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri K. Kannan, presently General Manager, Bank of Baroda, as a whole-time Director (designated as the Executive Director) of the Dena Bank for a period of five years commencing with the date of his taking charge.

[F. No. 9/61/91-B.O.-I(i)]

K. G. GOEL, Director

नई दिल्ली, 2 अप्रैल, 1992

का.आ. 1067.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबंध) स्कीम, 1970 के खण्ड 8 के उपखण्ड (1) के साथ पठित खण्ड 3 के उपखण्ड (क) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् एतद्वारा श्री के. सुब्रमणियम, वर्तमान महा-प्रबन्धक, इंडियन बैंक के उनके कार्यभार ग्रहण करने की तारीख से पांच वर्ष की अवधि के लिए इण्डियन ओवरसीज बैंक के पूर्णकालिक निदेशक (कार्यकारी निदेशक के रूप में पदनामित) के रूप में नियुक्त करती है।

[सं. एफ. 9/61/91-बी.ओ. 1(ii)]

के.जी. गोयल, निदेशक,

New Delhi, the 2nd April, 1992

S.O. 1066.—In pursuance of sub-clause (a) of Clause 3 read with sub-clause (1) of clause 8 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri K. Subramanian, presently General Manager, Indian Bank, as a whole-time Director (designated as the Executive Director) of the Indian Overseas Bank for a period of five years commencing with the date of his taking charge.

[F. No. 9/61/91-B.O.-I(ii)]

K. G. GOEL, Director

नई दिल्ली, 23 अप्रैल, 1992

का.आ. 1067.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबंध) स्कीम, 1980 के खण्ड 8 के उपखण्ड (1) के साथ पठित खण्ड 3 के उपखण्ड (क) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् एतद्वारा श्री के.आर. शिनाय, वर्तमान महा-प्रबन्धक, कारपोरेशन बैंक को उसके कार्यभार ग्रहण करने की तारीख से पांच वर्ष की अवधि के लिए, उसी बैंक के पूर्णकालिक निदेशक (कार्यकारी निदेशक के रूप में पदनामित) के रूप में नियुक्त करती है।

[सं. एफ. 9/61/91-बी.ओ.-1(iii)]

के.जी. गोयल, निदेशक

New Delhi, the 2nd April, 1992

S.O. 1067.—In pursuance of sub-clause (a) of clause 3 read with sub-clause (1) of clause 8 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1980, the Central Government, after consultation with the

Reserve Bank of India, hereby appoints Shri K. R. Shenoy, presently General Manager, Corporation Bank, as a whole-time Director (designated as the Executive Director) of the same bank for a period of five years commencing with the date of his taking charge.

[F. No. 9/61/91-B.O.-I(iii)]

K. G. GOEL, Director

नई दिल्ली, 2 अप्रैल, 1992

का.आ. 1068.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबंध) स्कीम, 1970 के खण्ड 8 के उपखण्ड (1) के साथ पठित खण्ड 3 के उपखण्ड (क) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् एतद्वारा श्री एस.ए. कामत, वर्तमान महाप्रबन्धक, यूनियन बैंक ऑफ इंडिया को उनके कार्यभार ग्रहण करने की तारीख से पांच वर्ष की अवधि के लिए, उसी बैंक के पूर्णकालिक निदेशक (कार्यकारी निदेशक के रूप में पदनामित) के रूप में नियुक्त करती है।

[सं. एफ. 9/61/91-बी.ओ. 1(iv)]

के.जी. गोयल, निदेशक

New Delhi, the 2nd April, 1992

S.O. 1068.—In pursuance of sub-clause (a) of clause 3 read with sub-clause (1) of clause 8 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri S. A. Kamath, presently General Manager, Union Bank of India, as a whole-time Director (designated as the Executive Director) of the same bank for a period of five years commencing with the date of his taking charge.

[F. No. 9/61/91-B.O.-I(iv)]

K. G. GOEL, Director

नई दिल्ली, 2 अप्रैल, 1992

का.आ. 1069.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबंध) स्कीम, 1970 के खण्ड 8—उपखण्ड (1) के साथ पठित खण्ड 3 के उपखण्ड (क) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक के परामर्श करने के पश्चात् एतद्वारा श्री बी.के. मुखर्जी, वर्तमान कार्यकारी निदेशक, यूनाइटेड बैंक ऑफ इंडिया को उनके कार्यभार ग्रहण करने की तारीख से 31 जनवरी, 1993 को समाप्त होने वाली अवधि तक के लिए इलाहाबाद बैंक के पूर्णकालिक निदेशक (कार्यकारी निदेशक के रूप में पदनामित) के रूप में नियुक्त करती है।

[सं. एफ. 9/61/91-बी.ओ. 1(viii)]

के.जी. गोयल, निदेशक

New Delhi, the 2nd April, 1992

S.O. 1069.—In pursuance of sub-clause (a) of clause 3 read with sub-clause (1) of clause 8 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri B. K. Mukherjee, presently Executive Director of the United Bank of India, as a whole-time Director (designated as the

Executive Director) of the Allahabad Bank for a period commencing with the date of his taking charge and ending with 31st January, 1993.

[F. No. 9/61/91-B.O.-I(viii)]

K. G. GOEL, Director

नई दिल्ली, 3 अप्रैल, 1992

का. प्रा. 1070.—राष्ट्रीय आवास बैंक अधिनियम, 1987 (1987 का सं. 53) की धारा 6 के अनुसरण में केन्द्रीय सरकार, भारतीय रिजर्व बैंक के साथ परामर्श करने के पश्चात्, एतद्द्वारा, राष्ट्रीय आवास बैंक के निदेशक बोर्ड का गठन करती है और उक्त बैंक के निदेशक बोर्ड में निदेशकों के रूप में निम्नलिखित व्यक्तियों को नियुक्त करती है अर्थात् :

धारा 6 की उप-धारा (1) के खण्ड (ख) के अंतर्गत की गई नियुक्ति :

- | | |
|---|--------------------------|
| 1. मुख्य नगर योजनाकार,
तमिलनाडु राज्य सरकार
मद्रास। | 3 वर्ष की अवधि के
लिए |
| 2. श्री राकेश मोहन,
आर्थिक सलाहकार,
उद्योग मंत्रालय | 3 वर्ष की अवधि के
लिए |

धारा 6 की उप-धारा (1) के खण्ड (ग) के अंतर्गत की गई नियुक्ति :

- | | |
|---|--------------------------|
| 1. अध्यक्ष,
आवास और शहरी विकास
निगम लि. | 3 वर्ष की अवधि के
लिए |
| 2. अध्यक्ष,
आवास विकास वित्त निगम लि. | 3 वर्ष की अवधि के
लिए |

धारा 6 की उप-धारा (1) के खण्ड (घ) के अंतर्गत भारतीय रिजर्व बैंक द्वारा नामांकित

- | | |
|--|--|
| 1. श्री आर. जानकीरमन,
उप-गवर्नर,
भारतीय रिजर्व बैंक | |
| 2. श्री एम. एस. पटवर्धन
निदेशक, केन्द्रीय निवेशक बोर्ड,
भारतीय रिजर्व बैंक | |

धारा 6 की उपधारा (1) के खण्ड (ङ) के अंतर्गत की गई नियुक्ति :

- | | |
|---|--|
| 1. सचिव, भारत सरकार, शहरी विकास मंत्रालय | |
| 2. सचिव, भारत सरकार, ग्रामीण विकास मंत्रालय | |
| 3. अवसर सचिव, बैंकिंग प्रभाग, आर्थिक कार्य विभाग,
वित्त मंत्रालय | |

धारा 6 की उप-धारा (1) के खण्ड (च) के अंतर्गत की गई नियुक्ति :

- | | |
|--|--------------------------|
| 1. सचिव,
आवास और शहरी विकास
विभाग,
आन्ध्र प्रदेश सरकार। | 3 वर्ष की अवधि के
लिए |
| 2. सचिव,
आवास और पर्यावरण विभाग
मध्य प्रदेश सरकार | 3 वर्ष की अवधि के
लिए |

[का सं. 7/2/88-बी.ओ.-I]

के.जी. गोयल, निदेशक

New Delhi, the 3rd April, 1992

S.O. 1070.—In pursuance of section 6 of the National Housing Bank Act, 1987 (No. 53 of 1987) the Central Government, in consultation with Reserve Bank of India, hereby constitutes the Board of Directors of the National Housing Bank and appoints the following persons as the Directors of the Board of Directors of the said Bank, namely:—

Appointed under clause (b) of sub-section (1) of Section 6:—

- | | |
|--|-----------------------------|
| 1. Chief Town Planner,
State Government of Tamil Nadu,
Madras. | for a period of
3 years. |
| 2. Shri Rakesh Mohan,
Economic Adviser,
Ministry of Industry. | for a period of
3 years. |

Appointed under clause (c) of sub-section (1) of Section 6:—

- | | |
|---|----------------------------|
| 1. Chairman,
Housing and Urban Development
Corporation Ltd. | for a period of
3 years |
| 2. Chairman,
Housing Development Finance
Corporation Ltd. | for a period of
3 years |

Nominated by Reserve Bank of India under clause (d) of sub-section (1) of Section 6:—

- | | |
|---|--|
| 1. Shri R. Janakiraman,
Deputy Governor,
Reserve Bank of India. | |
| 2. Shri M.S. Patwardhan,
Director on the Central Board of Directors
of the Reserve Bank of India. | |

Appointed under clause (e) of sub-section (a) of Section 6:—

1. Secretary to the Government of India,
Ministry of Urban Development.
2. Secretary to the Government of India,
Ministry of Rural Development.
3. Additional Secretary,
Banking Division,
Department of Economic Affairs,
Ministry of Finance.

Appointed under clause (f) of sub-section (1) of Section 6:—

1. Secretary,
Department of Housing and Urban
Development,
Government of Andhra Pradesh.
for a period of 3 years
2. Secretary,
Department of Housing and
Environment,
Government of Madhya Pradesh.
for a period of 3 years.

[F. No. 7/2/88-B.O.]

K. G. GOEL, Director

नई दिल्ली, 6 अप्रैल, 1992

का. प्रा. 1071.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1970 के खंड 8 के उपखंड (1) के साथ पठित खंड 3 के उपखंड (क) के अनुसरण में केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् एतद्वारा श्री हरभजन सिंह, वर्तमान कार्यकारी निदेशक, यूको बैंक को उनके कार्यभार ग्रहण करने की तारीख से पांच वर्ष की अवधि के लिए पंजाब नेशनल बैंक के पूर्ण-कालिक निदेशक (कार्यकारी निदेशक के रूप में पद नामित) के रूप में नियुक्त करती है।

[संख्या एफ. 9/61/91-बी. ओ. 1 (vii)]

के. जी. गोयल, निदेशक

New Delhi, the 6th April, 1992

S.O. 1071.—In pursuance of sub-clause (a) of clause 3 read with sub-clause (1) of clause 8 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri Harbhajan Singh, presently Executive Director of the UCO Bank, as a whole-time Director (designated as the Executive Director) of the Punjab National Bank for a period of five years commencing with the date of his taking charge.

[F. No. 9/61/91-B.O.-I(vii)]

K. G. GOEL, Director

नई दिल्ली, 6 अप्रैल, 1992

का. प्रा. 1072.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1970 के खंड 8 के उपखण्ड (1) के साथ पठित खण्ड 3 के उपखण्ड (क) के अनुसरण में केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् एतद्वारा श्री विश्वजीत चौधरी, वर्तमान महाप्रबंधक, यूनाइटेड

बैंक आफ इंडिया को उनके कार्यभार ग्रहण करने की तारीख से पांच वर्ष की अवधि तक के लिए, यूको बैंक के पूर्ण-कालिक निदेशक (कार्यकारी निदेशक के रूप में पद नामित) के रूप में नियुक्त करती है।

[संख्या एफ. 9/61/91-बी. ओ. 1 (v)]

के. जी. गोयल, निदेशक

New Delhi, the 6th April, 1992

S.O. 1072.—In pursuance of sub-clause (a) of clause 3 read with sub-clause (1) of clause 8 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri Biswajit Chowdhury, presently General Manager, United Bank of India, as a whole-time Director (designated as the Executive Director) of the UCO Bank for a period of five years commencing with the date of his taking charge.

[F. No. 9/61/91-B.O.-I(v)]

K. G. GOEL, Director

मुख्य आयुक्त आयुक्त - III, का कार्यालय

कलकत्ता 11 मार्च, 1992

संख्या - 16/91 - 92

का. प्रा. 1073.—अधिसूचना संख्या-11/91-92 दिनांक 1-8-1991 का आंशिक संशोधन करते हुए एवं आयुक्त अधिनियम 1961 की धारा 120 की उपधाराएं (1) व (2) के अन्तर्गत प्रदत्त सभी शक्तियों का एवं इस बाबत मुझे प्रदत्त अन्य सामर्थ्यकारी शक्तियों का प्रयोग करते हुए, मैं, मुख्य आयुक्त आयुक्त - III, कलकत्ता एतद्वारा निम्नलिखित के अनुसार स. प्रा. (टी. डी. एस.) सर्किल-1, ग्रामानसोल का क्षेत्राधिकार निर्धारित करता हूं।

2. यह अधिसूचना तत्काल प्रभावी होगी।

अनुसूची

आयुक्त आयुक्त रेंज आ. उ. टी डी एस. का प्रभार के अधीन	क्षेत्राधिकार सर्कल
प्रा. प्रा. प. ब. - 11, कलकत्ता	प्रा. उ. रेंज स. प्रा. -आसनसोल, (टी. डी. एस) 18/90-91 आसनसोल सर्कल - 1 आसनसोल
	अधिसूचना संख्या 18/90-91 दिनांक 4-3-91 के पैरा में उल्लिखित सभी व्यक्तियों या व्यक्तियों के वर्ग जो आसनसोल एवं दुर्गापुर के आयुक्त कार्यालयों के अधीन हैं/ हो सकते हैं।

[संख्या - स. अ./मुख्या/योजना - 345 (सब)/91 - 92/18247]

ए. आर. मंडल, मुख्य आयुक्त आयुक्त

OFFICE OF THE CHIEF COMMISSIONER OF
INCOME TAX-III

Calcutta, the 11th March, 1992

No. 16/91-92

S.O. 1073.—In partial modification of the Notification No. 11/91-92 dated 1-8-1991 and in exercise of all the powers vested under sub-sections (1) & (2) of Section 120 of the Income Tax Act, 1961 and all other powers enabling me in this behalf, I, the Chief Commissioner of Income Tax-III, Calcutta do hereby assign the jurisdiction (TDS) to the A.C. (T.D.S) Circle-I, Asansol as per schedule below:

2. This Notification will come into force with immediate effect.

SCHEDULE

Charge of the Commissioner of Income Tax.	Under the Range D.C. Circle	(T.D.S) Circle	Jurisdiction
1	2	3	4
C.I.T., WB-XI, Calcutta.	D.C. Range Asansol, Asansol.	A.C. (TDS) Circle-1, Asansol.	All persons or class of persons as mentioned in para 2 of the Notification No. 18/90-91 dt. 4-3-1991 who are or would come under the jurisdiction of the Income Tax Officer at Asansol and Durgapur.

[No. AC/HQ/Planning 345(sub)/91-92/12847]

A. R. MANDAL, Chief Commissioner

वाणिज्य मंत्रालय

नई दिल्ली, 1 अप्रैल, 1992

(रबड़ नियंत्रण)

का.आ. 1074.—सर्व-साधारण की जानकारी के लिए यह प्रकाशित किया जाता है कि केन्द्रीय सरकार ने रबड़ अधिनियम, 1947 (1947 का 24) की धारा 6क की उपधारा (1क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री पी. के. नारायणन, भूतपूर्व संयुक्त रबड़ उत्पादन आयुक्त, रबड़ बोर्ड, कोट्टयाम को 30 सितम्बर, 1991 के अपराह्न से रबड़ उत्पादन आयुक्त, रबड़ बोर्ड, कोट्टयाम के रूप में नियुक्त किया है।

[फा. सं. 17 (12)/91-प्लांट (बी)]

सी. ए. भास्करन, अवसर सचिव

MINISTRY OF COMMERCE

New Delhi, the 1st April, 1992

(RUBBER CONTROL)

S.O. 1074.—It is hereby published for the information of public that in exercise of the powers conferred by sub-section (1A) of Section 6A of the Rubber Act, 1947 (24 of 1947), the Central Government have appointed Shri P. K. Narayanan, formerly Joint Rubber Production Commissioner in the

Rubber Board, Kottayam as Rubber Production Commissioner, Rubber Board, Kottayam with effect from the afternoon of the 30th September, 1991.

[File No. 17(12)/91-Plant.(B)]

C. A. Bhaskaran, Under Secy.

नागरिक पूर्ति, उपभोक्ता मामले और सार्वजनिक वितरण मंत्रालय

नई दिल्ली, 3 अप्रैल, 1992

का.आ. 1075. केन्द्रीय सरकार, सरकारी स्थान (अप्राधिकृत अधिमोक्तियों को बेदखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, नीचे दी गई सारणी के स्तम्भ (1) में उल्लिखित अधिकारी को, जो पंजाब राज्य सरकार का राजपत्रित अधिकारी है, उक्त अधिनियम के प्रयोजनों के लिए सम्पदा अधिकारी नियुक्त करती है, जो उक्त सारणी के स्तम्भ (2) में विनिर्दिष्ट सरकारी स्थानों के संबंध में अपनी अधिकारिता की सीमाओं के भीतर उक्त अधिनियम द्वारा या उसके अधीन सम्पदा अधिकारी को प्रदत्त शक्तियों का प्रयोग और उस पर अधिरोपित कर्तव्यों का पालन करेगा।

सारणी

अधिकारी का नाम और पदनाम	सरकारी स्थानों के प्रवर्ग और अधिकारिता की स्थानीय सीमाएं
-------------------------	--

(1)

(2)

श्री एल डी हंस, पी सी एल, उप खंड अधिकारी (सिविल) अमृतसर (पंजाब)	ऐसे स्थान जो अमृतसर (पंजाब) की नगरपालिका सीमाओं के भीतर विनिर्दिष्ट बेजीटेबल आयल्स कापॉरेशन लिमिटेड के हैं या उसके द्वारा तथा उसकी ओर से पट्टे पर लिए गए हैं।
---	---

[फा. सं. 18/10/91-ई. ओ. पी.]

आर. के. सिंह, अवसर सचिव

MINISTRY OF CIVIL SUPPLIES CONSUMER
AFFAIR AND PUBLIC DISTRIBUTION

New Delhi, the 3rd April, 1992

S.O. 1075.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby appoints the officer mentioned in column (1) of the Table below, being a gazetted officer of the State Government of Punjab, to be estate officer for the purposes of the said Act, who shall exercise the powers conferred and perform the duties imposed on estate officer by or under the

said Act, within the limits of his jurisdiction in respect of the Public premises specified in column (2) of the said Table.

TABLE

Name and Designation of the Officer	Categories of Public premises and local limits of jurisdiction
1	2
Shri L.D. Hans, PCS, Sub-Divisional Officer (Civil), Amritsar (Punjab).	Premises belonging to or taken on lease by or on behalf of the Hindustan Vegetable Oils Corporation Ltd., within the municipal limit of Amritsar (Punjab).

[F. No. 18/10/91-EOP]

R. K. SINGH, Under Secy.

मानव संसाधन विकास मंत्रालय

(शिक्षा विभाग)

नई दिल्ली, 26 मार्च, 1992

का. प्रा. 1076:—केन्द्रीय सरकार राजभाषा (संघ के सरकारी प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप नियम (4) के अनुसरण में मानव संसाधन विकास मंत्रालय, शिक्षा विभाग के अन्तर्गत निम्नलिखित विद्यालयों को जिनमें 80% से अधिक कर्मचारियों ने हिन्दी का कार्य साधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है :—

- केन्द्रीय विद्यालय, के. रि. पु. ब., मोकामाघाट, बिहार।
- केन्द्रीय विद्यालय, सी. सी. एल. राजेन्द्र नगर, रातू रोड, रांची, बिहार
- केन्द्रीय विद्यालय, बराईपाली, सम्बलपुर, उड़ीसा।
- केन्द्रीय विद्यालय, आयुध निर्माणी, भम्बासारी, नागपुर (महाराष्ट्र)
- केन्द्रीय विद्यालय, नं. 3, मुरार छावनी, ग्वालियर (मध्य प्रदेश)
- केन्द्रीय विद्यालय, बनवसा, जि. नैनीताल, उत्तर प्रदेश
- केन्द्रीय विद्यालय, ओखा पोर्ट, ओखा, गुजरात।
- केन्द्रीय विद्यालय, लामडिम, असम
- केन्द्रीय विद्यालय, भण्डारा आईनस फैक्टरी
- केन्द्रीय विद्यालय, बैंक नोट प्रेस, देवास, (म. प्र.)
- केन्द्रीय विद्यालय नं. 1, इन्दौर (म. प्र.)
- केन्द्रीय विद्यालय, नं. 2, इन्दौर (म. प्र.)
- केन्द्रीय विद्यालय, जी. सी. एफ. नं. 2, जबलपुर (मध्य प्रदेश)
- केन्द्रीय विद्यालय, एस. टी. सी., जबलपुर (म. प्र.)
- केन्द्रीय विद्यालय, नं. 3, झांसी।
- केन्द्रीय विद्यालय, भम्बासारीन, नागपुर (महाराष्ट्र)
- केन्द्रीय विद्यालय, कामठी, नागपुर (महाराष्ट्र)
- केन्द्रीय विद्यालय, वायू सेना, नागपुर (महाराष्ट्र)
- केन्द्रीय विद्यालय नं. 2, समरिया, जबलपुर (म. प्र.)
- केन्द्रीय विद्यालय, पंचमढ़ी, होंशंगाबाद (म. प्र.)
- केन्द्रीय विद्यालय, राजगढ़ (व्यावर)
- केन्द्रीय विद्यालय, रतलाम, काटजू नगर, (म. प्र.)
- केन्द्रीय विद्यालय, सारनी, बेतुल (म. प्र.)
- केन्द्रीय विद्यालय, सिहोर, कृषि उपज मंडी, (म. प्र.)
- केन्द्रीय विद्यालय, महु, 92, कतिघम रोड (म. प्र.)
- केन्द्रीय विद्यालय, करेरा, आई. टी. बी. पी. शिवपुर (म. प्र.)
- केन्द्रीय विद्यालय, ए. ए. एफ. एस. ग्रामसा
- केन्द्रीय विद्यालय, रेलवे कटनी (म. प्र.)

29. केन्द्रीय विद्यालय,
तालबहेट, लोक व्यू कैम्प
30. केन्द्रीय विद्यालय,
होशंगाबाद सिक्सोस्टी पेपर मिल,
(मध्य प्रदेश)

[सं. 11011-4/91-रा.भा.ए.]

रमेश कुमार आंगिरस, निदेशक (राजभाषा)

MINISTRY OF HUMAN RESOURCE DEVELOPMENT

(Department of Education)

New Delhi, the 26th March, 1992

S.O. 1076.—In pursuance of sub-rule (4) of Rule 10 of the Official Languages (use for official purposes of the Union) Rules, 1976, the Central Government hereby notifies the following vidyalayas under the Ministry of Human Resource Development (Department of Education), more than 80 per cent staff of which has acquired working knowledge of Hindi :—

1. Kendriya Vidyalaya,
C.R.P.F. Mokamaghat,
Bihar.
2. Kendriya Vidyalaya,
C.C.L. Rajendra Nagar,
Ratu Road, Ranchi, Bihar.
3. Kendriya Vidyalaya,
Baripali, Sambalpur,
(Orissa).
4. Kendriya Vidyalaya,
Ordnance Factory,
Ambajhari, Nagpur,
(Maharashtra).
5. Kendriya Vidyalaya,
No. 3, Murar Cantt.,
Gwalior (Madhya Pradesh).
6. Kendriya Vidyalaya,
Banvasa, Distt. Nainital (UP).
7. Kendriya Vidyalaya,
Okha Port, Okha (Gujarat).
8. Kendriya Vidyalaya,
Lamdin, (Assam).
9. Kendriya Vidyalaya,
Bhandara Ordnance Factory.
10. Kendriya Vidyalaya,
Bank Note Press, Devas (MP).
11. Kendriya Vidyalaya,
No. 1, Indore (Madhya Pradesh).
12. Kendriya Vidyalaya,
No. 2, Indore (M.P.).
13. Kendriya Vidyalaya,
G.C.F. No. 2, Jabalpur (M.P.)
14. Kendriya Vidyalaya,
S.T.C., Jabalpur (M.P.).
15. Kendriya Vidyalaya,
No. 3, Jhansi.
16. Kendriya Vidyalaya,
Ambajhari, Nagpur (Maharashtra).
17. Kendriya Vidyalaya,
Kamthi, Nagpur,
(Maharashtra).

18. Kendriya Vidyalaya,
Air Force, Nagpur,
(Maharashtra).
19. Kendriya Vidyalaya,
No. 2, Samriya,
Jabalpur (M.P.).
20. Kendriya Vidyalaya,
Panchmarhi, Hoshangabad,
(Madhya Pradesh).
21. Kendriya Vidyalaya,
Rajgarh (Vyavar).
22. Kendriya Vidyalaya,
Ratlam, Katju Nagar (M.P.).
23. Kendriya Vidyalaya,
Sarni, Baijul, (M.P.).
24. Kendriya Vidyalaya,
Sehore, Agriculture Product
Market, (M.P.).
25. Kendriya Vidyalaya,
Mahu, 92, Kanigham Road,
(M.P.).
26. Kendriya Vidyalaya,
Karera, ITBP, Shivpuri (MP).
27. Kendriya Vidyalaya,
A.F.S., Amla.
28. Kendriya Vidyalaya,
Railway Katni (M.P.).
29. Kendriya Vidyalaya,
Talabahet, Lake View
Camp, Madhya Pradesh.
30. Kendriya Vidyalaya,
Hoshangabad,
Security Paper Mill,
(Madhya Pradesh).

[No. F. 11011-4/91-OLU]

R. K. ANGIRAS, Director (OL)

नई दिल्ली, 27 मार्च, 1992

का. आ. 1077.—केन्द्रीय सरकार, राजभाषा (संघ के सरकारी प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप नियम (4) के अनुसरण में मानव संसाधन विकास मंत्रालय, शिक्षा विभाग के अन्तर्गत निम्नलिखित कार्यालयों/केन्द्रीय विद्यालयों को, जिनमें 80% से अधिक कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है :—

1. केन्द्रीय विद्यालय,
पासीघाट, अरुणाचल प्रदेश
2. केन्द्रीय विद्यालय नं. 2,
एच. ई. सी., रांची, बिहार
3. केन्द्रीय विद्यालय,
एच. पी. सी., पंचग्राम, असम
4. केन्द्रीय विद्यालय, अमहर,
सुलतानपुर, उत्तर प्रदेश
5. केन्द्रीय विद्यालय, आई. ओ. सी.
कलौनी, वीरमगाम, अहमदाबाद
(गुजरात) 382150

6. केन्द्रीय विद्यालय नं. 2,
गोलकौडा, मुहम्मदी लाइन्स,
हैदराबाद (आंध्र प्रदेश)

7. केन्द्रीय विद्यालय,
सेक्टर - 47, चंडीगढ़

8. केन्द्रीय विद्यालय,
सी. सी. आई. नयागांव
मंदसौर (मध्य प्रदेश)

9. केन्द्रीय विद्यालय,
ए. ओ. सी. जबलपुर

[फा. सं. 11011-2/92-रा. भा. ए.]

रमेश कुमार आंगिरस, निदेशक (राजभाषा)

New Delhi, the 27th March, 1992

S.O. 1077.—In pursuance of sub-rule (4) of Rule 10 of the Official Languages (use for official purposes of the Union) Rules, 1976, the Central Government hereby notifies the following offices/Kendriya Vidyalayas of the Ministry of Human Resource Development (Department of Education), more than 80 per cent staff of which has acquired working knowledge of Hindi:—

1. Kendriya Vidyalaya,
Pasighat (Arunchal Pradesh),
2. Kendriya Vidyalaya,
No. 2, H.E.C., Ranchi,
(Bihar).
3. Kendriya Vidyalaya,
H.P.C., Panchgram,
(Assam).
4. Kendriya Vidyalaya,
Amhar, Sultanpur,
(Uttar Pradesh).
5. Kendriya Vidyalaya,
IOC Colony, Veeramangam,
Ahmedabad (Gujarat) Pin-382150.
6. Kendriya Vidyalaya,
No. 2, Golkonda,
Muhummedi Lines,
Hyderabad (Andhra Pradesh).
7. Kendriya Vidyalaya,
Sector-47, Chandigarh.
8. Kendriya Vidyalaya,
CCI, Nayagaon,
Mandsore (M.P.).
9. Kendriya Vidyalaya,
AOC, Jabalpur.

[No. F. 11011-2/92-OLU]

R. K. ANGIRAS, Director (OL)

नई दिल्ली, 30 मार्च, 1992

का. ग्रा. 1078.—केन्द्रीय सरकार राजभाषा (संघ के सरकारी प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप नियम (4) के अनुसरण में मानव संसाधन विकास मंत्रालय (शिक्षा विभाग) के निम्नलिखित उद्यम को जिसमें 80%

से अधिक कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है:—

एजुकेशनल कंसल्टेंट्स इंडिया लिमिटेड,
सी - 24, फ्रेंड्स कालोनी,
नई दिल्ली - 110065

[फा. सं. ई. 11011-2/92 रा. भा. ए.]

रमेश कुमार आंगिरस, निदेशक (राजभाषा)

New Delhi, the 30th March, 1992

S.O. 1078.—In pursuance of sub-rule (4) of Rule 10 of the Official Languages (use for official purposes of the Union) Rules, 1976, the Central Government hereby notifies the following enterprise of the Ministry of Human Resource Development (Department of Education), more than 80 per cent staff of which has acquired working knowledge of Hindi:—

Educational Consultants India Ltd.,
C-24, Friends Colony,
New Delhi-110065.

[No. F. 11011-2/92-OLU]

R. K. ANGIRAS, Director (OL)

कृषि मंत्रालय

(कृषि एवं सहकारिता विभाग)

नई दिल्ली, 30 मार्च, 1992

का. आ. 1079.—भारतीय पशु चिकित्सा परिषद अधिनियम, 1984 (1984 का 52) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा क्रमशः डा. पी. आर. जाटकर और डा. के. एम. जोहर द्वारा सदस्यता छोड़ने के परिणामस्वरूप उत्पन्न रिक्त के प्रति डा. यू. के. व्यास, डीन, पशुचिकित्सा कालिज, बीकानेर और डा. बी. जी. कटपटाल, डीन, पशुचिकित्सा कालिज, जबलपुर, मध्य प्रदेश को तत्काल प्रभाव से भारतीय पशुचिकित्सा परिषद के सदस्य के रूप में नियुक्त करती है तथा भारत सरकार, कृषि मंत्रालय, पशुपालन और डेरी विभाग के दिनांक 2 अगस्त, 1999 के स. का. 2051 में निम्नलिखित संशोधन करती है:—

उक्त अधिसूचना में क्रम सं. 7 और 8 तथा उनमें संबंधित प्रविष्टियों के स्थान पर क्रमशः निम्नलिखित प्रतिस्थापित किए जाएंगे।

7. डा. यू. के. व्यास,
डीन, पशु चिकित्सा कालिज,
बीकानेर, राजस्थान।

6. डा. बी. जी. कटपटाल,
डीन, पशु चिकित्सा कालिज,
जबलपुर, मध्य प्रदेश।

[सं. 23-192/88-एल. डी. टी. /एल. एच. एस.]

एच. सी. जगोता, अधर सचिव

MINISTRY OF AGRICULTURE

(Department of Animal Husbandry and Dairying)

New Delhi, the 30th March, 1992

S.O. 1079.—In exercise of the powers conferred by section 3 of the Indian Veterinary Council Act, 1984 (52 of 1984), the Central Government hereby appoints, with immediate effect, Dr. U. K. Vyas, Dean, Veterinary College, Bikaner, Rajasthan and Dr. B. G. Katpatal, Dean, Veterinary College, Jabalpur, Madhya Pradesh, as members of the Veterinary Council of India against the vacancies resulting from the cessation of membership by Dr. P. R. Jatar and Dr. K. S. Johar respectively, and makes the following amendment in the notification of the Government of India in the Ministry of Agriculture, Department of Animal Husbandry and Dairying No. S.O. 2051 dated the 2nd August, 1989, namely :—

In the said Notification, for Sl. Nos. 7 and 8 and entries relating thereto, the following shall respectively be substituted, namely :—

7. Dr. U. K. Vyas,
Dean, Veterinary College,
Bikaner, Rajasthan.

8. Dr. B. G. Katpatal,
Dean, Veterinary College,
Jabalpur, Madhya Pradesh.

[No. 23-192/88-LDT(LHS)]

H. K. JAGOTA, Under Secy.

जल संसाधन मंत्रालय

नई दिल्ली, 11 मार्च, 1992

का.आ. 1080.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप नियम (4) के अनुसरण में, जल संसाधन मंत्रालय के अधीन केन्द्रीय जल आयोग के भुवनेश्वर स्थित कार्यालय, ब्रह्मणी सुवर्णरेखा मण्डल जिसके 80 प्रतिशत से अधिक कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को एतद्वारा अधिसूचित करती है।

[सं. 1/2/92-हिन्दी]

जोगिन्दर सिंह, उप सचिव

MINISTRY OF WATER RESOURCES

New Delhi, the 11th March, 1992

S.O. 1080.—In pursuance of sub-rule (4) of Rule 16 of the Official Language (Use for Official purposes of the Union), Rules, 1976, the Central Government hereby notifies the Central Water Commission's Office situated at Bhubaneswar, Brahmani Subern Rekha Circle under the Ministry of Water Resources where more than 80% staff have acquired working knowledge of Hindi.

[No. 1/2/92-Hindi]

JOGINDER SINGH, Dy. Secy.

पर्यावरण और वन मंत्रालय

(वन्यजीव-1 अनुभाग)

नई दिल्ली, 1 अप्रैल, 1992

का.आ. 1081.—केन्द्रीय सरकार, वन्यजीव (संरक्षण) संशोधन अधिनियम, 1991 (1991 का 44) के साथ पठित वन्यजीव (संरक्षण) अधिनियम, 1972 (1972 का 53) की धारा 55 के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, नीचे अनुसूची के स्तम्भ (2) में विनिर्दिष्ट अधिकारियों को उक्त अनुसूची के स्तम्भ (3) में प्रत्येक तत्स्थानी

प्रविष्टि के सामने विनिर्दिष्ट उनकी अधिकारिता के क्षेत्र में पूर्वोक्त अधिनियम के विरुद्ध अपराधों में शिकायतें फाइल करने के लिए सशक्त करती है :—

अनुसूची

क्र. सं.	अधिकारी का पदनाम	अधिकारिता का क्षेत्र
1	2	3
1.	प्रादेशिक उपनिदेशक, वन्यजीव परिरक्षण, उत्तरी क्षेत्र, नई दिल्ली।	उत्तर प्रदेश, पंजाब, हरियाणा, हिमाचल प्रदेश, जम्मू कश्मीर राज्य और दिल्ली तथा चंडीगढ़ संघ राज्य क्षेत्र।
2.	प्रादेशिक उप निदेशक, वन्यजीव परिरक्षण, पूर्वी क्षेत्र, कलकत्ता।	पश्चिमी बंगाल, बिहार, असम, अरुणाचल प्रदेश, सिक्किम, मिजोरम, नागालैंड, मणिपुर, त्रिपुरा और मेघालय राज्य।
3.	प्रादेशिक उप निदेशक, वन्यजीव परिरक्षण, दक्षिणी क्षेत्र, मद्रास।	तमिलनाडु, आन्ध्र प्रदेश, केरल, कर्नाटक, उड़ीसा राज्य और अंडमान निकोबार द्वीप, लक्षद्वीप, तथा पांडिचेरी संघ राज्य क्षेत्र।
4.	प्रादेशिक उप निदेशक, वन्यजीव परिरक्षण, पश्चिमी क्षेत्र, मुम्बई।	महाराष्ट्र, गुजरात, मध्य प्रदेश, राजस्थान, गोवा राज्य और, दमन और दीव तथा दादरा और नागर हवेली संघ राज्य क्षेत्र।

[सं. एफ. 2-16/91-डब्ल्यू एल-1]

एस.एस. हसूरकर, संयुक्त सचिव

MINISTRY OF ENVIRONMENT & FORESTS

(Wild Life-I Section)

New Delhi, the 1st April, 1992

S.O. 1081.—In exercise of the powers conferred by clause (a) of Section 55 of the Wild Life (Protection) Act, 1972 (53 of 1972), read with Wild Life (Protection) Amendment Act, 1991 (44 of 1991), the Central Government hereby empowers the officers specified in Column (2) of the Schedule below to file complaints in offences against the afore-said Act in the area of their jurisdiction specified against each in the corresponding entry in Column (3) of the said Schedule.

SCHEDULE

Serial number	Designation of Officer	Area of jurisdiction
1	2	3
1.	Regional Deputy Director Wildlife Preservation Northern Region, New Delhi.	The States of U.P., Punjab, Haryana, Himachal Pradesh, Jammu and Kashmir and Union Territories of Delhi and Chandigarh.

2. Regional Deputy Director Wildlife Preservation, Eastern Region, Calcutta.	The States of West Bengal, Bihar, Assam, Arunachal Pradesh, Sikkim, Mizoram, Nagaland, Manipur, Tripura and Megha- aya.
3. Regional Deputy Director Wildlife Preservation, Southern Region, Madras.	The States of Tamil Nadu, Andhra Pradesh, Kerala, Karnataka, Orissa and Union Territories of Andaman and Nicobar Islands, Laksha- dweep, and Pondicherry.
4. Regional Deputy Director Wildlife Preservation, Western Region, Bombay.	The States of Maharashtra, Gujarat, Madhya Pradesh, Rajasthan, Goa and Union Territory of Daman and Diu and Dadra & Nagar Haveli.

[No. F.2-16/91-WL-I]

S. S. HASURKAR, Jt. Secy.

स्वास्थ्य और परिवार कल्याण मंत्रालय

नई दिल्ली, 31 मार्च, 1992

का.आ. 1082.—भारतीय आयुर्विज्ञान परिषद् अधि-
नियम, 1956 (1956 का 102) की धारा 3 की उपधारा
(1) के खंड (ग) के उपबन्ध के अनुसरण में डा. राधा
नाथ राय, एम.डी., प्राचार्य और आयुर्विज्ञान विभागाध्यक्ष,
एस.सी.बी. मेडिकल कालेज, कटक को राज्य चिकित्सक
रजिस्टर, उड़ीसा में प्रविष्ट व्यक्तियों द्वारा 14 मई, 1988 से
भारतीय आयुर्विज्ञान परिषद् का सदस्य निर्वाचित किया
गया है।

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा
3 की उपधारा (1) के अनुसरण में भारत सरकार के
तत्कालीन स्वास्थ्य मंत्रालय की अधिसूचना सं. का.आ.
138, तारीख 9 जनवरी, 1960 का और संशोधन करने के
लिए निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में, धारा 3 की उपधारा (1) के
और उससे संबंधित प्रविष्टि के स्थान पर, निम्नलिखित क्रम
सं. और प्रविष्टि रखी जाएगी, अर्थात् :

“8. डा. राधा नाथ राय,
प्राचार्य और आयुर्विज्ञान विभागाध्यक्ष,
एस.सी.बी. मेडिकल कालेज,
कटक-753007.”

[संख्या बी-11013/4/86-एम.ई. (पी)]

आर. विजय कुमारी, डेस्क अधिकारी

MINISTRY OF HEALTH AND FAMILY WELFARE

New Delhi, the 31st March, 1992

S.O. 1082.—Whereas in pursuance of the provision of
clause (c) of sub-section (1) of section 3 of the Indian Medical
Council Act, 1956 (102 of 1956) Dr. Radha Nath Rath, M.D.
Professor and Head of Department of Medicine, S.C.B.

Medical College Cuttack, has been elected by the persons
enrolled on the State Medical Register, Orissa to be a member
of the Medical Council of India with effect from 14th May,
1988.

Now, therefore, in pursuance of sub-section (1) of section
3 of the said Act, the Central Government hereby makes
the following amendment further to amend the notification of
the Government of India, in the late Ministry of Health, No.
S.O. 138, dated the 9th January, 1960, namely :—

In the said notification, under the heading “Elected under
clause (c) of sub-section (1) of Section 3” for serial number 8
and the entry relating thereto the following serial number
and entry shall be substituted, namely :—

“8. Dr. Radha Nath Rath,
Professor and Head of Department of Medicine,
S.C.B. Medical College,
Cuttack-753007”

[No. V-11013/4/86-ME-(P)]

R. VIJAYAKUMARI, Desk Officer

(स्वास्थ्य विभाग)

नई दिल्ली, 31 मार्च, 1992

का.आ. 1083.—केन्द्रीय सरकार, भारतीय आयुर्विज्ञान
परिषद्, अधिनियम, 1956 (1956 का 102) की धारा
3 की उपधारा (1) के अनुसरण में, भारत सरकार के
तत्कालीन स्वास्थ्य मंत्रालय की अधिसूचना सं. का.आ.
138, तारीख 9 जनवरी, 1960 में निम्नलिखित और संशोधन
करती है, अर्थात् :—

उक्त अधिसूचना में, “धारा 23 की उपधारा (1) के खंड
(क) के अधीन नामनिर्देशित “शोधक के नीचे क्रम संख्या
12 और उससे संबंधित प्रविष्टियों के सामने निम्नलिखित
क्रम सं. और प्रविष्टियां रखी जाएंगी, अर्थात् :—

“12. डाक्टर चिक्कनंजप्पा
88/3, के.आर. रोड,
बासावंगुडी,
बंगलोर-560 004

[संख्या बी.-11013/9/90-एम.ई. (यूजी) पीटी]

आर. विजयकुमारी, डेस्क अधिकारी

(Department of Health)

New Delhi, the 31st March, 1992

S.O. 1083.—In pursuance of sub-section (1) of section 3
of the Indian Medical Council Act, 1956 (102 of 1956), the
Central Government hereby makes the following further
amendments in the notification of the Government of India
in the erstwhile Ministry of Health, No. S.O. 138, dated the
9th January, 1960, namely :—

In the said notification under the heading “Nominated under
clause (a) of sub-section (1) of section 3” against serial number
12 and the entries relating thereto the following serial number
and entries shall be substituted, namely :—

“12. Dr. Chikkananjappa,
88/3, K. R. Road,
Basavanagudi,
Bangalore-560004”

[No. V-11013/9/90-ME (UG) Pt.]

R. VIJAYAKUMARI, Desk Officer

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 23 मार्च, 1992

का.घा. 1084--केन्द्रीय सरकार को यह प्रतीत होता है कि लोक हित में यह आवश्यक है कि गुजरात राज्य में कांडला से पंजाब राज्य में भटिंडा तक राजस्थान और हरियाणा से होकर पेट्रोलियम के परिवहन के लिए इंडियन आयल कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाई जाए;

और ऐसा प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजनों के लिए इस अधिसूचना से उपाय्य भूमि में वर्णित भूमि के उपयोग के अधिकार का अर्जन करना आवश्यक है।

अतः केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त भूमि में वर्णित भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है।

उक्त भूमि में वर्णित भूमि में हितबद्ध कोई व्यक्ति, राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता की उपलब्ध करा दिए जाने की तारीख से 21 दिन के भीतर, उनसे उपयोग में अधिकार का अर्जन या उक्त भूमि में पाइपलाइन बिछाने के संबंध में आपत्ति लिखित रूप से श्री किरपाल सिंह, संपर्क अधिकारी और सक्षम प्राधिकारी, इंडियन आयल कॉर्पोरेशन लिमिटेड, कांडला-भटिंडा पाइपलाइन परियोजना, एम. सी. ओ. 178, सेक्टर 37-बी, चंडीगढ़ को कर सकेगा।

अनुसूची

तहसील : समाना	जिला : पटियाला	राज्य : पंजाब			
गांव का नाम	हवबस्त नं.	मुस्तील नं. किला नं.	क्षेत्रफल		
			हैक्टेयर	आर	वर्गमीटर
1	2	3	4	5	6
वेदना	184	31			
		13	0	07	84
		14	0	05	31
		17	0	12	65
		24	0	05	82
		25	0	10	62
खेड़ी नाभिया	128	58			
		08	0	05	06
		63			
		08	0	01	26
		12	0	00	51
		13	0	09	11
		17	0	07	08
		18	0	09	36
		सिओना	187	01	
22	0			05	06
23	0			13	41
24	0			05	06
06					
04	0			12	14
मिओना	187	69			
		11	0	00	51

1	2	3	4	5	6
		12	0	12	90
		13	0	02	78
		17/1	0	00	76
		17/2	0	03	04
		18	0	12	64
		24	0	10	62
		25	0	07	85
		74			
		01	0	09	36
		09	0	12	39
		10	0	06	07
		12	0	03	04
		13	0	11	63
		17	0	05	82
		18	0	06	83
		75			
		05	0	08	35
बहमन माजरा	129	14			
		22	0	00	51

तहसील : संगरूर	जिला : संगरूर	राज्य : पंजाब			
1	2	3	4	5	6
कम्हो माजरा	45	345/48/1	0	03	79
		347/48/2	0	18	97
		351/49/2	0	15	18
		151	0	07	59
		153/1	0	16	44
		153/2	0	02	53
		154	0	07	59
		155/1	0	05	06
उपली	07	2099/1	0	02	02
		2102	0	11	89
उबेवाल	06	130/1	0	13	66
		126			
		18/2-3	0	12	40
		21	0	01	77
		22/1	0	06	32
		22/2	0	08	60
		23	0	02	78
		138			
		1	0	13	15
		02	0	00	25
उबेवाल	06	139			
		5	0	07	08
		06	0	08	35
		07	0	10	62
		11	0	04	05
		12	0	05	82
		13	0	14	16
		14	0	04	55
		18	0	01	01
		19	0	04	81

1	2	3	4	5	6
		20	0	08	35
		140			
		15	0	01	01
		16	0	11	38
		17/1	0	11	38
		18	0	12	40
मन्देर खुर	81	45			
		18/1	0	04	35
		22/1	0	11	13
		23/1	0	00	51
		23/2	0	07	84
साडोके	82	12			
		11/1	0	02	78
		11/2	0	06	07
		11/3	0	00	00
		20	0	03	54
		13			
		15	0	02	02
		16	0	01	77
लोयोवाल	04	306			
		08	0	12	90

तहसील : फूल		जिला : मटिडा		राज्य : पंजाब	
1	2	3	4	5	6
बाऊके	450	231			
		05	0	12	65

तहसील : संगरूर	जिला : संगरूर		राज्य : पंजाब		
1	2	3	4	5	6
कमलपुर	126	120			
		14/2	0	05	82
		15/1	0	04	80
गुजराम	110	30			
		5/2	0	01	26
		6/2/2	0	00	51
		31			
		01	0	01	52

[संख्या आर-31015/6/89-ओ.आर-1]

मुलवीप सिंह, सचिव

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 23rd March, 1992

S.O. 1084.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Kandla in the State of Gujrat to Bhatinda in the State of Punjab, via Rajasthan and Haryana, pipeline should be laid by Indian Oil Corporation Limited ;

And whereas it appears that for the purpose of laying such pipeline it is necessary to acquire the right of user in the land described in the Schedule annexed to this notification ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user in the land described in the said Schedule ;

Any person interested in the land described in the said schedule may within 21 days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the said land, to Shri Kirpal Singh, Liaison Officer and Competent Authority, Indian Oil Corporation, Kandla-Bhatinda Pipeline Project, S.C.O. 178, Sector 37-C Chandigarh.

SCHEDULE

(A) Tehsil : Samana Distt : Patiala State : Punjab

Name of village	No. Habbast	Survey No./ Khasra No./ Mustateel No./ Killa No.	Area Hec- tare	Area Centi- Are	
1	2	3	4	5	6
Dedna	184	31			
		13	0	07	84
		14	0	05	31
		17	0	12	65
		24	0	05	82
		25	0	10	62
Kheri Naghia	128	58			
		08	0	05	06
		63			
		08	0	01	26
		12	0	00	51
		13	0	09	11
		17	0	07	08
		18	0	09	36
Seona	187	01			
		22	0	05	06
		23	0	13	41
		24	0	05	06
		06			
		04	0	12	14
		69			
		11	0	00	51
		12	0	12	90
		13	0	02	78
		17/1	0	00	76
		17/2	0	03	04
		18	0	12	64
		24	0	10	62
		25	0	07	84
	187	74			
		01	0	09	36
		09	0	12	39
		10	0	06	07
		12	0	03	04
		13	0	11	63
		17	0	05	82
		18	0	06	83
		75			
		05	0	08	35
Bhraman Majra	129	14			
		22	0	00	51

(B) Tehsil : Sangrur Distt : Sangrur State : Punjab

(D) Tehsil : Sunam Distt : Sangrur State : Punjab

1	2	3	4	5	6
Kambo Majra	45	345/48/1	0	03	79
		347/48/2	0	18	97
		351/49/2	0	15	18
		151	0	07	59
		153/1	0	16	44
		153/2	0	02	53
		154	0	07	59
		155/1	0	05	06
Upli	07	2099/1	0	02	02
		2102	0	11	89
Ubewal	06	130/1	0	13	66
		126			
		18/2-3	0	12	40
		21	0	01	77
		22/1	0	06	32
		22/2	0	08	60
		23	0	02	78
		138			
		01	0	13	15
		02	0	00	25
		139			
		05	0	07	08
		06	0	08	35
		07	0	10	62
		11	0	04	05
		12	0	05	82
		13	0	14	16
		14	0	04	55
		18	0	01	01
		19	0	04	81
		20	0	08	35
		140			
		15	0	01	01
		16	0	11	38
		17/1	0	11	38
		18	0	12	40
Mander Kurd	81	45			
		18/1	0	04	55
		22/1	0	11	13
		23/1	0	00	51
		23/2	0	07	84
Sahoke	82	12			
		11/1	0	02	78
		11/2	0	06	07
		11/3	0	00	00
		20	0	03	54
		13			
		15	0	02	02
		16	0	01	77
Longowal	04	306			
		08	0	12	90

(C) Tehsil : Phul Distt : Bhatinda State : Punjab

1	2	3	4	5	6
Choweke	450	231			
		05	0	12	65

1	2	3	4	5	9
Kamalpur	126	120			
		14/2	0	05	82
		15/1	0	04	80
Gujran	110	30			
		5/2	0	01	26
		6/1/2	0	00	51
		31			
		01	0	01	52

[R-31015/6/89-ORI]

KULDIP SINGH, Under Secy.

नई दिल्ली, 23 मार्च, 1991

का.प्रा.1085—केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसके इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना सं. का.प्रा. 1148, तारीख 4 अप्रैल, 1991 द्वारा पेट्रोलियम के परिवहन के लिये पाइपलाइन बिछाने के प्रयोजनार्थ उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकारों के अर्जन के अन्तर्गत आशय की घोषणा की थी;

और राजपत्रित अधिसूचना की प्रतियां जनता को तारीख 30 अप्रैल, 1991 को उपलब्ध करा दी गई थी;

और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुमरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को रिपोर्ट दे दी है;

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाए;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार अर्जित करने की घोषणा करती है;

यह और कि केन्द्रीय सरकार उक्त धारा की उपधारा (4) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, यह निवेश देती है कि उक्त भूमि के उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाए सभी वित्तीयों से मुक्त इंडियन प्रायव कांर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील : बहरोड़	जिला : अलवर	राज्य : राजस्थान		
गांव का नाम	खसरा नं.	क्षेत्रफल		
		हेक्टर	एयर	वर्गमीटर
1	2	3	4	5
जागूबास	211	0	14	04
	212	0	12	60
	313	0	03	24
	151	0	15	12
	150	0	04	86

1	2	3	4	5	6
2. कोलिला राबड़	146		0	11	88
	179		0	03	60
3. कोलिला सांगा	465		0	06	12
	466		0	08	28
	467		0	01	44
	523		0	02	70
	530		0	01	44
	557		0	02	70
	529		0	00	90
	563		0	05	04
	562		0	00	18
	564		0	09	54
	613		0	05	58
	616		0	02	16
	468		0	10	26
	522		0	05	04
	527		0	08	82
	528		0	10	26
	565		0	02	34
4. शाहजहापुर	26		0	09	00
	25		0	09	00
	17		0	01	26
	18		0	04	86
	19		0	18	00
	16		0	01	44
	15		0	02	34
	14		0	00	36
5. मासिडी	1088		0	01	80
	1075		0	00	90
	1074		0	06	66
	1044		0	08	64
	1043		0	00	90
	1042		0	07	92
	968		0	09	90
	1032		0	02	52
	1033		0	06	12
	1034		0	10	44
	1035		0	06	30
	1036		0	00	90
	1041		0	00	36
	1040		0	01	80
	969		0	00	36
6. कांकर	353		0	16	78
	358		0	00	44
	351		0	18	94
	352		0	07	16
	887		0	14	64
	884		0	13	86
	893		0	00	36

New Delhi, the 23-3-1992

S.O. 1085:—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural gas No. S. O. 1148, dated the 4th April, 1991 issued under sub-section (i) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of right of user in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), The Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline for the transport of petroleum;

And whereas the copies of the Gazette notification were made available to the public on 30th April, 1991;

And where as the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has made has report to the Central Government;

And whereas the Central Government after considering the said report is satisfied that the right of user in the lands specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the lands specified in the Schedule appended to this notification are hereby acquired;

And further in exercise of the powers conferred by sub-section (4) of the said section, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government, vest, free from all encumbrances, in the Indian Oil Corporation Limited.

SCHEDULE

Tehsil : Behror	District : Alwar	State : Rajasthan		
Name of Village	Survey No.	Area		
		Hec-tare	Are	Sqr. Mtrs.
1	2	3	4	5
1. Jaguwas	211	0	14	04
	212	0	12	60
	313	0	03	24
	151	0	15	12
	150	0	04	86
2. Kolila Rabad	146	0	11	88
	179	0	03	60
3. Kolila Sanga	465	0	06	12
	466	0	08	28
	467	0	01	44
	523	0	02	70
	530	0	01	44
	557	0	02	70
	529	0	00	90
	563	0	05	04
	562	0	00	18
	564	0	09	54
	613	0	05	58
	616	0	02	16
	468	0	10	26
	522	0	05	04
	527	0	08	82

[प्रार/31015/9/89-ओ प्रार-1]

कुलदीप सिंह, प्रार सचिव

1	2	3	4	5
	528	0	10	26
	565	0	02	34
4. Shahajhanpur	26	0	09	00
	25	0	09	00
	17	0	01	26
	18	0	04	86
	19	0	18	00
	16	0	01	44
	15	0	02	34
	14	0	00	36
5. Sansedi	1088	0	01	80
	1075	0	00	90
	1074	0	06	66
	1044	0	08	64
	1043	0	00	90
	1042	0	07	92
	968	0	09	90
	1032	0	02	52
	1033	0	06	12
	1034	0	10	44
	1035	0	06	30
	1036	0	00	90
	1041	0	00	36
	1040	0	01	80
	969	0	00	36
6. Kankar	353	0	16	78
	358	0	00	44
	351	0	18	94
	352	0	07	16
	887	0	14	64
	894	0	13	86
	893	0	00	36

[R-31015/9/89-ORI]

KULDEEP SINGH, Under Secy.

नई दिल्ली, 23 मार्च, 1992

का. भा. 1088.—केन्द्रीय सरकार ने, पेट्रोलियम और नैजि पाइपलाइन (भूमि में उपयोग के अधिकार का धर्जन) अधिनियम, 1962 (1962 का 55) जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना सं. का. भा. 1149 तारीख 4 अप्रैल, 1991 द्वारा पेट्रोलियम के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजनार्थ उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकारों के धर्जन के अपने आशय की घोषणा की थी;

और राजपत्रित अधिसूचना की प्रतियां जनता को तारीख 30 अप्रैल 1991 को उपलब्ध करा दी गई थी;

और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को रिपोर्ट दे दी है;

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का धर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार अर्जित करने की घोषणा करती है;

877 GI/92-4

यह और कि केन्द्रीय सरकार उक्त धारा की उपधारा (4) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए यह निवेदन देती है कि उक्त भूमि के उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाए सभी वित्तीयमों से मुक्त इंडियन प्रायस कारपोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील — जमवारामगढ़	जिला — जयपुर	राज्य — राजस्थान		
गांव का नाम	खसरा नं.	क्षेत्रफल	हेक्टर	ऐयर वर्गमीटर
1	2	3	4	5
भजारागढ़ चौक हाजी का बास	17/2	0	05	94
	24	0	14	78
	17/1	0	65	70
	22	0	04	68
	18	0	01	44
भानपुर कलों	391	0	07	32
	389	0	04	24
	414	0	00	90
	405	0	18	46
	404	0	07	42
	382/1	0	05	04
	481	0	00	54
	482	0	12	60
	483	0	00	90
	273	0	24	48

[भार-31015/9/89-ओ भार-1]

कुलवीर सिंह, सचिव

New Delhi, the 23rd March, 1992

S.O. 1086 :—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S. O. 1149, dated the 4th April, 1991 issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (59 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline for the transport of petroleum;

And whereas the copies of the said Gazette notification were made available to the public on the 30th April, 1991;

And whereas the Competent Authority in pursuance of sub-section (1) of Section 6 of the said Act has made his report to the Central Government;

And whereas the Central Government after considering the said report is satisfied that the right of user in the lands specified in the schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the lands specified in the Schedule appended to this notification are hereby acquired;

And further in exercise of the powers conferred by sub-section (4) of the said section, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government, vest, free from all encumbrances, in the Indian Oil Corporation Limited.

SCHEDULE

Tehsil : Jamwa Ramgarh District : Jaipur State : Rajasthan

Name of Village	Survey No.	Area		
		Hec- tare	Are	Squa- re Mtr.
1	2	3	4	5
Ajabgarh Urf Hadi Ka Bas	17/2	0	05	94
	24	0	14	76
	17/1	0	65	70
	22	0	04	68
	18	0	01	44
Bhan Pur Kalan	391	0	07	32
	389	0	04	24
	414	0	00	90
	405	0	18	46
	404	0	07	42
	382/1	0	05	04
	481	0	00	54
	482	0	12	60
	483	0	00	90
	273	0	24	48

[R—31015/9/89—ORI]

KULDEEP SINGH, Under Secy.

नई दिल्ली, 23 मार्च, 1992

का. प्रा. 1087.—केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना सं. का. प्रा. 1150 तारीख 4 अप्रैल, 1991 द्वारा पेट्रोलियम के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजनार्थ उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकारों के अर्जन के अपने-आपने की घोषणा की थी;

और राजपत्रित अधिसूचना की प्रतियां जनता को तारीख 30 अप्रैल, 1991 को उपलब्ध करा दी गई थी;

और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को रिपोर्ट दे दी है;

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार अर्जित करने की घोषणा करती है;

यह और कि केन्द्रीय सरकार उक्त धारा की उपधारा (4) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, यह निवेदन देती है कि उक्त भूमि के उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाए सभी विस्तृतता से मुक्त इंडियन प्रायल कारपोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील — बाली	जिला — पाली	राज्य — राजस्थान			
गांव का नाम	खसरा नं.	खेसफल	हेक्टर	ऐयर	वर्गमीटर
1	2	3	4	5	
कोटबालिया	1129	0	00	36	
	1130	0	15	48	
	1175	0	39	06	
	1176	0	12	96	

[प्रार—31015/9/89—ओ प्रार]

कुलदीप सिंह, प्रवर सचिव

New Delhi, the 23rd March, 1992

S.O. 1087 :—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S. O. 1150, dated the 4th April, 1991 issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline for the transport of petroleum;

And whereas the copies of the Gazette notification were made available to the public on 30th April, 1991;

And whereas the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has made his report to the Central Government;

And whereas the Central Government after considering the said report is satisfied that the right of user in the lands specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the lands specified in the Schedule appended to this notification are hereby acquired;

And further in exercise of the powers conferred by sub-section (4) of the said section, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government, vest, free from all encumbrances, in the Indian Oil Corporation Limited.

SCHEDULE

Tehsil : Bali District : Pali State : Rajasthan

Name of Village	Survey No.	Area		
		Hect- tare	Are	Square Mtrs.
1	2	3	4	5
Koth Baliya	1129	0	00	36
	1130	0	15	48
	1175	0	39	06
	1176	0	12	96

[R.—31015/9/89—ORI]

KULDEEP SINGH, Under Secy.

नई दिल्ली, 23 मार्च, 1992					1	2	3	4	5
का. प्रा. 1088.—केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में आवश्यक है कि गुजरात राज्य में कांझला से पंजाब राज्य में भटिंडा तक राजस्थान और हरियाणा से होकर पेट्रोलियम के परिवहन के लिए इंडियन प्रायल कारपोरेशन लिमिटेड द्वारा पाइपलाइन बिछाई जाए ;					सातलपुर (क्रमशः)	272	0	16	58
और ऐसा प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजनों के लिए इस अधिसूचना से उपाबद्ध अधिसूची में वर्णित भूमि के उपयोग के अधिकार का भर्जन करना आवश्यक है ;						264	0	27	90
अतः, केन्द्रीय सरकार पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का भर्जन) अधिनियम, 1962 (1962 का 50) की धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का भर्जन करने के अपने आशय की घोषणा करती है ;						265	0	12	60
उक्त अधिसूची में वर्णित भूमि में हितबद्ध कोई व्यक्ति, राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दिए जाने की तारीख से 21 दिन के भीतर, उनमें उपयोग के अधिकार का भर्जन या भूमि में पाइपलाइन बिछाने के संबंध में आपत्ति लिखित रूप में श्री एन. एच. कुम्हार, प्रतिनियुक्ति पर सामलातवार और सक्षम प्राधिकारी, इंडियन प्रायल कारपोरेशन लिमिटेड, कांझला-भटिंडा पाइपलाइन परियोजना, 'किरम कोर्ट' प्लॉट नं. 85, सेक्टर - 1, गांधीधाम (कच्छ), गुजरात को कर सकेगा।						266	0	26	10
						227	0	41	40
						228	0	26	10
						226	0	26	10
						757	0	26	46
						756	0	35	64
						770	0	33	30
						773	0	14	76
						774	0	07	20
						781	0	27	90
						780	0	15	48
						742	0	25	92
						737	0	27	36
						739	0	19	26
						740	0	05	58
						732	0	23	04
						720	0	19	80
						721	0	08	10
						717	0	13	32
						716	0	23	04
						715	0	17	64
						714	0	16	92
						707	0	09	72
						706	0	36	72
						703	0	07	20
						697	0	27	90
						696	0	10	26
						693	0	12	60
						690	0	05	58
						683	0	45	90
					राजसरा	183	0	72	00
						196	0	30	60
						197	0	33	84
						198	0	40	86
						199	0	27	90
						214	0	09	72
						215	0	05	13
						216	0	07	29
						220	0	40	86
						221	0	23	58
						233	0	46	98
						219	0	16	20
						236	0	45	54
					छाणसरा	43	0	49	50
						35	0	37	62
						34	0	39	06
						33	0	18	18
						30	0	39	06
						18	0	64	98
						16	0	25	92
						15	0	28	80

सहस्रौल—सातलपुर	जिला—बनासकांठा	राज्य—गुजरात		
गांव का नाम	सर्वेक्षण संख्या	क्षेत्रफल	हेक्टेयर	वर्गमीटर
1	2	3	4	5
सातलपुर	754	0	09	90
	458	0	05	04
	497	0	18	00
	495	0	26	10
	490	0	19	08
	491	0	04	32
	486	0	35	10
	485	0	05	40
	480	0	18	90
	479	0	10	80
	474	0	12	60
	478	0	07	20
	475	0	12	98
	476	0	15	12
	433	0	44	46
	429	0	07	20
	428	0	39	06
	427	0	05	40
	412	0	57	60
	319	0	09	00
	320	0	13	68
	331	0	60	30
	332	0	24	30
	333	0	13	68
	273	0	28	16

1	2	3	4	5	1	2	3	4	5
	14	0	40	50		497	0	18	00
	10	0	10	08		495	0	26	10
	11	0	21	78		490	0	19	08
	260	0	17	28		491	0	04	32
	259	0	14	40		486	0	35	10
	257	0	28	80		485	0	05	40
	258	0	34	74		480	0	18	90
	254	0	55	08		479	0	10	80
	242	0	18	90		474	0	12	60
	241	0	02	88		478	0	07	20
	240	0	33	80		475	0	12	96
	239	0	28	40		476	0	15	12
	229	0	42	12		433	0	44	46
	230	0	42	84		429	0	07	20
छापसरा (क्रमकः)	228	0	40	68		428	0	39	06
	219	0	39	06		427	0	05	40
	216	0	66	60		412	0	57	60
						319	0	09	00
						320	0	13	68
						331	0	60	30
						332	0	24	30
						333	0	13	68
						273	0	38	16
						272	0	16	56
						264	0	27	90
						265	0	12	60
						266	0	26	10
						226	0	26	10
						227	0	41	40
						228	0	26	10
					Pur	757	0	26	46
						756	0	35	64
						770	0	33	30
						773	0	14	76
						774	0	07	20
						781	0	27	90
						780	0	15	48
						742	0	25	92
						737	0	27	36
						739	0	19	26
						740	0	05	58
						732	0	23	04
						720	0	19	80
						721	0	08	10
						717	0	13	32
						716	0	23	04
						715	0	17	64
						714	0	16	92
						707	0	09	72
						706	0	36	72
						703	0	07	20
						697	0	27	90
						696	0	10	26
						693	0	12	60
						690	0	05	58
						683	0	45	90
						183	0	72	00
						196	0	30	60
						197	0	33	84
						198	0	40	86
						199	0	27	90
						214	0	09	72
						215	0	05	13
						216	0	07	29
						219	0	16	20
						220	0	40	86

[संख्या भार- 31 015/2/92 - जो भार - 1]

कुमारी सिंह, पब्लिक सचिव

New Delhi, the 23rd March, 1992

S. O. 1088:—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Kandla in the State of Gujarat to Bhatinda in the State of Punjab, via Rajasthan and Haryana, Pipelines should be laid by the Indian Oil Corporation Limited;

And whereas it appears that for the purpose of laying such pipelines it is necessary to acquire the right of user in the land described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said Schedule may within 21 days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land to Shri N.H. Kumbhar, Mamlatdar on deputation and Competent Authority, Indian Oil Corporation Limited, Kandla-Bhatinda Pipeline Project, "Kiran-Court", Plot No. 85, Sector 1, Gandhidham, (Kachchh), Gujarat.

SCHEDULE

Tehsil : Santalpur District : Banaskantha State Gujarat				
Name of Village	Survey No.	Area		
		Hec-	Square	Metres
		tare		
1	2	3	4	5
Santalpur	754	0	09	90
	458	0	05	04

Rajusara

1	2	3	4	5
Rajurara	221	0	23	58
	233	0	46	98
	236	0	45	54
Chhansara	43	0	49	50
	35	0	37	62
	34	0	39	06
	33	0	18	18
	30	0	39	06
	18	0	64	98
	16	0	25	92
	14	0	40	50
	10	0	10	08
	11	0	21	78
	260	0	17	28
	259	0	14	40
	257	0	28	80
	258	0	34	74
	254	0	55	08
	242	0	18	90
	241	0	02	88
	240	0	33	30
	15	0	28	80
	239	0	28	40
	230	0	42	84
	229	0	42	12
	228	0	40	68
	219	0	39	06
	216	0	66	60

[No. R—31015/2/92—ORI]

KULDEEP SINGH, Under Secy.

नई दिल्ली, 23 मार्च, 1992

का.प्र. 1089.—केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में आवश्यक है कि गुजरात राज्य में कांडला से पंजाब राज्य में बटिन्डा तक राजस्थान और हरियाणा से होकर पेट्रोलियम के परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाई जाए ;

और ऐसा प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजन के लिए इस अधिसूचना से उपाखण्ड अनुसूची में वर्णित भूमि के उपयोग के अधिकार का भर्जन करना आवश्यक है ;

अतः केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का भर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का भर्जन करने के अपने आशय की घोषणा करती है।

उक्त अनुसूची में वर्णित भूमि में हितबद्ध कोई व्यक्ति, राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दिए जाने की तारीख से 21 दिन के भीतर, उनमें उपयोग के अधिकार का भर्जन या भूमि में पाइपलाइन बिछाने के संबंध में आपत्ति लिखित रूप में श्री एन. एच. कुम्हार, प्रतिनियुक्ति पर मामलातदार और सक्षम प्राधिकारी, इंडियन ऑयल कॉर्पोरेशन लिमिटेड, कांडला - बटिन्डा पाइपलाइन परियोजना, "किरान कोर्ट", प्लॉट नं. 85, सेक्टर 1, गांधीधाम (कच्छ) गुजरात को कर सकेगा।

अनुसूची

तहसील - सिद्धपुर	जिला - महेसाणा	राज्य - गुजरात
गांव का नाम	सर्वेक्षण संख्या	क्षेत्रफल
		हेक्टेयर भार वर्गमीटर
1	2	3 4 5
हिसोर	319	0 13 12
सिद्धपुर	476	0 00 35
	468	0 00 35
	475/1	0 07 80
	471	0 07 83
सुजानपुर	343	0 01 35
	344	0 08 50

[आर - 31015/2/92 - ओ आर - 1]

कुलदीप सिंह, धवर सचिव

New Delhi, the 23rd March, 1992.

S.O. 1089:—Whereas it appears to the Central Government that it is necessary in the public interest that the transport of petroleum from Kandla in the State of Gujarat to Bhatinda in the State of Punjab, via Rajasthan and Haryana, pipeline should be laid by the Indian Oil Corporation Limited;

And whereas it appears that for the purpose of laying such pipelines it is necessary to acquire the right of user in the land described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said Schedule may within 21 days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land to Shri N. H. Kumbhar, Mamlatdar on deputation and Competent Authority, Indian Oil Corporation Limited Kandla-Bhatinda Pipeline Project, "Kiran Court", Plot No. 85, Sector 1, Gandhidham, (Kachchh), Gujarat:—

SCHEDULE

Tehsil : Sidhpur District : Mehsana State : Gujarat				
Name of Village	Survey No.	Area		
		Hec- tare	Are	Square Mtrs.
1	2	3	4	5
Hisor	319	0	13	12
Sidhpur	476	0	00	35
	468	0	00	35

1	2	3	4	5
Sidhpur	475/1	0	07	80
	471	0	07	83
Sujanpur	343	0	01	35
	344	00	08	50

[F. No. R-31015/2/92-ORI]

KULDEEP SINGH, Under Secy.

नई दिल्ली, 23 मार्च, 1992

का. प्रा. 1090 :—केंद्रीय सरकार को यह प्रतीत होता है कि लोकहित में आवश्यक है कि गुजरात राज्य में कांडला से पंजाब राज्य में भटिंडा तक राजस्थान और हरियाणा से होकर पेट्रोलियम के परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाई जाए :

और ऐसा प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजन के लिए इस अधिसूचना से उपाबद्ध अनुसूची में वर्णित भूमि में उपयोग के अधिकार का अर्जन करना आवश्यक है :

अतः, केंद्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रस्तुत शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने प्राशय की घोषणा करती है।

उक्त अनुसूची में वर्णित भूमि में हितबद्ध कोई व्यक्ति, राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दिए जाने की तारीख से 21 दिन के भीतर, उनमें उपयोग के अधिकार का अर्जन या भूमि में पाइपलाइन बिछाने के संबंध में आपत्ति लिखित रूप में श्री एन.एच. कुमार, प्रतिनियुक्ति पर मामला-सद्वार और सक्षम अधिकारी, इंडियन ऑयल कॉर्पोरेशन लिमिटेड, कांडला—भटिंडा पाइपलाइन परियोजना, "किरन-कोर्ट", प्लॉट सं. 85, सैक्टर 1, गांधीधाम (कच्छ), गुजरात को कर सकेगा।

अनुसूची

तहसील : मातलपुर	जिला : बनासकांठा	राज्य : गुजरात		
गांव का नाम	सर्वेक्षण संख्या	क्षेत्रफल		
		हेक्टेयर	घार	वर्गमीटर
1	2	3	4	5
छाणमरा	229	0	29	70
	228	0	24	84
	218	0	41	94
	217	0	36	00
	215	0	09	54
	216	0	25	74
ईगामडा	168	0	43	20
	167	0	19	44
	165	0	16	20
	166	0	20	34
	164	0	36	00
	163	0	58	77
	159	0	09	54
	149	0	27	00
	150	0	30	96

1	2	3	4	5
परसुद	122	0	74	34
	124	0	07	74
बाधपुरा	61	0	16	92
	60	0	22	50
	58	0	18	90
	57	0	01	98
	56	0	37	80
	48	0	30	96
	52	0	20	70
	06	0	14	58
	05	0	30	60
	08	0	15	48
	09	0	17	46
बाधपुरा (अमरा)	13	0	01	98
	10	0	66	96
	34	0	13	86
	35	0	39	60
	33	0	33	84
	32	0	20	88
बामणोली	415	0	24	66
नलीया	104	0	28	08
	106	0	18	00
	54	0	39	24
	55	0	27	72
	78	0	13	86
	77	0	43	20

[आर-31015/2/92—प्रो आर-1]

कुलदीप सिंह, प्रवर सचिव

New Delhi, the 23rd March, 1992

S.O. 1090 :—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Kandla in the State of Gujarat to Bhatinda in the State of Punjab, via Rajasthan and Haryana, pipelines should be laid by the Indian Oil Corporation Limited;

And whereas it appears that for the purpose of laying such pipelines it is necessary to acquire the right of user in the land described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said Schedule may within 21 days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the general public object in writing to the acquisition of the right of user therein or laying of the pipeline under the land to Shri N. H. Kumbhar, Mamlatdar on deputation and Competent Authority, Indian Oil Corpo-

ration Limited, Kandla-Bhatinda Pipeline Project, "Kiran Court", Plot No. 85, Sector 1, Gandhidham, (Kachchh), Gujarat:—

SCHEDULE

Tehsil : Santalpur District : Banaskantha State : Gujarat				
Name of Village	Survey No.	Area		
		Hecta- tare	Are Squa- re	Metrs.
1	2	3	4	5
Chhansara	229	0	29	70
	228	0	24	84
	218	0	41	94
	217	0	36	00
	215	0	09	54
	216	0	25	74
Daigamada	168	0	43	20
	167	0	19	44
	165	0	16	20
	166	0	20	34
	164	0	36	00
	163	0	58	77
	159	0	09	54
	149	0	27	00
	150	0	30	96
Parsund	122	0	74	34
	124	0	07	74
Vaghpora	61	0	16	92
	60	0	22	50
	58	0	18	90
	57	0	01	98
	56	0	37	80
	48	0	30	96
	52	0	20	70
	06	0	14	58
	05	0	30	60
	08	0	15	48
	09	0	17	46
	13	0	01	98
	10	0	66	96
	34	0	13	86
	35	0	39	60
Bamnoli	33	0	33	84
	32	0	20	88
	415	0	24	66
Nallia	104	0	28	08
	106	0	18	00
	54	0	39	24
	55	0	27	72
	78	0	13	86
	77	0	43	20

M

[R.-31015/92-ORI]

KULDEEP SINGH, Under Secy.

नई दिल्ली, 23 मार्च, 1992

का. घा. 1091 :—केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में आवश्यक है कि गुजरात राज्य में कांडला से पंजाब राज्य में भटिन्डा तक राजस्थान और हरियाणा, से होकर पेट्रोलियम के परिवहन के लिए इंडियन आयल कारपोरेशन लिमिटेड द्वारा पाइपलाइन बिछाई जाए:

और ऐसा प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजनों के लिए इस अधिसूचना से उपाबद्ध भूतलसी में वर्णित भूमि के उपयोग के अधिकार का अर्जन करना आवश्यक है;

अतः, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है।

उक्त भूतलसी में वर्णित भूमि में लेखक कोई व्यक्ति, राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दिए जाने की तारीख से 21 दिन के भीतर, उनमें उपयोग के अधिकार का अर्जन या भूमि में पाइपलाइन बिछाने के संबंध में आपत्ति निश्चित रूप में श्री एन. एच. कुमार, प्रतिनियुक्ति पर मामलातदार और सक्षम प्राधिकारी, इंडियन आयल कारपोरेशन लिमिटेड, कांडला—भटिन्डा पाइपलाइन परियोजना, "किरत-कोर्ट" प्लॉट सं. 85, मैक्टर 1, गांधी धाम (कच्छ), गुजरात को कर सकेगा।

भूतलसी

तहसील : पाटन	जिला : महेसाणा	राज्य : गुजरात		
गांव का नाम	सर्वेक्षण संख्या	क्षेत्रफल		
		हेक्टेयर	घार	बर्गमीटर
1	2	3	4	5
बासीया	655	0	19	79
	656	0	15	84
	657	0	10	56
	934	0	20	45
	933	0	17	16
	930	0	05	94
	931	0	03	30
	927	0	05	61
	926	0	08	25
	910	0	11	22
	909	0	11	88
	907	0	18	47
	897	0	27	05
	896	0	21	11
	887	0	21	78
	886	0	14	52
	872	0	12	54
	871	0	04	62
	873	0	06	93
	870	0	07	92
874	0	05	61	
869		11	88	
868	0	16	50	
191	0	05	40	
190	0	23	51	
658	0	00	34	
646	0	15	78	

[भार-31015/2/92—श्री भार-1]

कुलदीप सिंह अवर सचिव,

New Delhi, the 23rd March, 1992

नई दिल्ली, 23 मार्च, 1992

S. O. 1091.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Kandla in the State of Gujarat to Bhatinda in the State of Punjab, via Rajasthan and Haryana, pipelines should be laid by the Indian Oil Corporation Limited;

And whereas it appears that for the purpose of laying such pipelines it is necessary to acquire the right of user in the land described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipeline (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein

Any person interested in the land described in the said Schedule may within 21 days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land to Shri N.H. Kumbhar, Mamlatdar on deputation and Competent Authority, Indian Oil Corporation Limited, Kandla-Bhatinda Pipeline Project, "Kiran Court", Plot No. 85, Sector 1, Gandhidham, (Kachchh), Gujarat.

SCHEDULE

Tehsil : Patan District : Mehsana State : Gujarat				
Name of Village	Survey No.	Area		
		Hec-tare	Are	Square Metres
1	2	3	4	5
Vamaiya	655	0	19	79
	656	0	15	84
	657	0	10	56
	934	0	20	45
	933	0	17	16
	930	0	05	94
	931	0	03	30
	927	0	05	61
	926	0	08	25
	910	0	11	22
	909	0	11	88
	907	0	18	47
	897	0	27	05
	896	0	21	11
	887	0	21	78
	886	0	14	52
	872	0	12	54
	871	0	04	62
	873	0	06	93
	870	0	07	92
	874	0	05	61
	869	0	11	88
	868	0	16	50
	191	0	05	04
	190	0	23	51
	648	0	00	34
	646	0	15	78

[R-31015/2/92-OR I]

KULDEEP SINGH, Under Secy,

को. प्रा 1092 :—केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में आवश्यक है कि गुजरात राज्य में कांडला से पंजाब राज्य में भटिंडा, तक राजस्थान हरियाणा से होकर पेट्रोलियम के परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाई जाए :

और ऐसा प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजन के लिए इस अधिसूचना से उपाय्य अनुसूची में वर्णित भूमि के उपयोग के अधिकार का अर्जन करना आवश्यक है;

अतः, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है।

उक्त अनुसूची में वर्णित भूमि में हितवद् कोई व्यक्ति, राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दिए जाने की तारीख से 21 दिन के भीतर, उसमें उपयोग के अधिकार का अर्जन या भूमि में पाइपलाइन बिछाने के संबंध में आपत्ति लिखित रूप में श्री एन. एच. कुम्भार, प्रतिनियुक्ति परामला-तबार और सक्षम प्राधिकारी, इंडियन ऑयल कॉर्पोरेशन लिमिटेड कांडला—भटिंडा पाइपलाइन परियोजना, "किरण-कोर्ट", प्लॉट सं. 85, सेक्टर 1, गांधीधाम (कच्छ), गुजरात को कर सकेगा।

अनुसूची

तहसील : हारीज जिला : महेसाणा राज्य : गुजरात				
गांव का नाम	सर्वेक्षण संख्या	क्षेत्रफल		
		हेक्टेयर	घर	वर्गमीटर
1	2	3	4	5
कुनावाडा	112	00	17	54
	113	00	00	35
	125	00	30	32
	126	00	00	35
	121	0	21	27
	127	0	00	35
मांसा	121	0	00	35
	122	0	35	94
	42	0	00	35
	31	0	07	25
रोडा	699	0	00	36
	698	0	29	62

[संख्या घर—31015/2/92—घो घर-I]

कुलदीप सिंह, धवर सचिव

New Delhi, the 23rd, March, 1992

S.O. 1092.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Kandla in the State of Gujarat to Bhatinda in the State of Punjab, via Rajasthan and Haryana, pipelines should be laid by the Indian Oil Corporation Limited;

And whereas it appears that for the purpose of laying such pipelines it is necessary to acquire the right of user in the land described in the Schedule annexed to this notification.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein.

Any person interested in the land described in the said Schedule may within 21 days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land to Shri N.H. Kumbhar, Mamlatdar on deputation and Competent Authority, Indian Oil Corporation Limited Kandla-Bhatinda Pipeline Project, "Kiran Court", Plot No. 85, Sector 1, Gandhidham, (Kachchh), Gujarat.

SCHEDULE

Tehsil - Harij	District : Mehsana	State : Gujarat		
Name of Village	Survey No	Area		
		Hec- tare	Are	Sq. Metre
1	2	3	4	5
Dunavada	112	0	17	54
	113	0	00	35
	125	0	30	33
	126	0	00	35
	127	0	00	35
	121	0	21	27
Mansa	121	0	00	35
	122	0	35	94
	42	0	00	35
	31	0	07	25
Roda	699	0	00	36
	698	0	29	62

[F. No. R-31015/2/92-ORI]

KULDEEP SINGH, Under Secy.

नई दिल्ली, 23 मार्च, 1992

का. प्र. 1093 :—केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में आवश्यक है कि गुजरात राज्य से कच्छला से पंजाब राज्य में भटिन्डा तक राजस्थान और हरियाणा से होकर पेट्रोलियम के परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाई जाए।

और ऐसा प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजन के लिए इस अधिसूचना में उपाखण्ड अनुसूची में वर्णित भूमि के उपयोग के अधिकार का अर्जन करना आवश्यक है;

अतः, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है।

उक्त अनुसूची में वर्णित भूमि में हितवद्ध कोई व्यक्ति, राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियाँ साधारण जनता को उपलब्ध करा दिए जाने की तारीख से 21 दिन के भीतर, उनमें उपयोग के अधिकार का अर्जन या भूमि में पाइपलाइन बिछाने के संबंध में आपत्ति लिखित

रूप में श्री एन. एच. कुम्भार, प्रतिनिधित्व पर मामलादार और सशम प्राधिकारी, इंडियन ऑयल कॉर्पोरेशन लिमिटेड, कच्छला-भटिन्डा पाइपलाइन परियोजना, "किरान-कोर्ट", प्लॉट नं. 85, सेक्टर 1, गंधीधम (कच्छ) गुजरात को कर सकेगा।

अनुसूची				
तहसील : कंकरेज	जिला : बनारसकांठा	राज्य : गुजरात		
गाँव का नाम	पर्यवेक्षण संख्या	क्षेत्रफल		
			हेक्टेयर	और वर्गमीटर
1	2	3	4	5
सुद्रोसन	60	00	00	76
	13	00	12	40

[संख्या आर-31015/2/92 श्री आर-1]

कुलदीप सिंह, अधीन सचिव

New Delhi, the 23rd March, 1992

S.O. 1093. -Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Kandla in the State of Gujarat to Bhatinda in the State of Punjab, via Rajasthan and Haryana, pipelines should be laid by the Indian Oil Corporation Limited

And whereas it appears that for the purpose of laying such pipelines it is necessary to acquire the right of user in the land described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipeline; (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of use therein;

Any person interested in the land described in the said Schedule may within 21 days from the date on which the copies of this notification as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land to Shri N.H. Kumbhar, Mamlatdar on deputation and Competent Authority, Indian Oil Corporation Limited Kandla-Bhatinda Pipeline Project "Kiran Court", Plot No. 85, Sector 1, Gandhidham, (Kachchh), Gujarat.

SCHEDULE

Tehsil : Kankrej		District : Banaskantha		State : Gujarat	
Name of Village		Survey No.		Area	
				Hec- tare	Are Sq. Metres
1	2	3	4	5	
Sudrosan	60	0	00	76	
	13	0	12	40	

[File No. R-31015/2/92-OR I]

KULDEEP SINGH, Under Secy.

नई दिल्ली, 23 मार्च, 1992

का. आ. 1094. —केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में आवश्यक है कि गुजरात राज्य में कांडला से पंजाब राज्य में भटिंडा तक राजस्थान और हरियाणा से होकर पेट्रोलियम के परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाई जाए :

और ऐसा प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजन के लिए इस अधिसूचना से उपाबद्ध अनुसूची में वर्णित भूमि के उपयोग के अधिकार का अर्जन करना आवश्यक है :

अतः, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50 की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है।

उक्त अनुसूची में वर्णित भूमि में हितबद्ध कोई व्यक्ति, राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दिए जाने की तारीख से 21 दिन के भीतर, उनमें उपयोग के अधिकार का अर्जन या भूमि में पाइपलाइन बिछाने के संबंध में आपत्ति लिखित रूप में श्री एन. एच. कुम्भार, प्रतिनियुक्ति पर मामलातदार और सक्षम प्राधिकारी, इंडियन ऑयल कॉर्पोरेशन लिमिटेड, कांडला—भटिंडा पाइपलाइन परियोजना, "किरन-कोर्ट", प्लॉट सं. 85, सेक्टर 1, गांधीधाम (कच्छ), गुजरात को कर सकेगा।

अनुसूची

तहसील : राधनपुर जिला : बनसकांठा राज्य : गुजरात				
गांव का नाम	सर्वेक्षण संख्या	क्षेत्रफल		
		हेक्टेयर आर	वर्गमीटर	
1	2	3	4	5
नानापुरा	106	0	16	60
	107	0	10	88
सातन	234	00	00	73
	233	00	18	36

[संख्या आर-31015/2/92—ओ आर-I]

कुलदीप सिंह, अवसर सचिव

New Delhi, the 23rd March 1992

S.O. 1094.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Kandla in the State of Gujarat to Bhatinda in the State of Punjab, via Rajasthan and Haryana, pipelines should be laid by the Indian Oil Corporation Limited ;

And whereas it appears that for the purpose of laying such pipelines it is necessary to acquire the right of use in the land described in the Schedule annexed to this notification ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Mineral Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein ;

Any person interested in the land described in the said Schedule may within 21 days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of use therein or laying of the pipeline under the land to Shri N.H. Kumbhar, Mamlatdar on deputation and Competent Authority, Indian Oil Corporation Limited, Kandla-Bhatinda Pipeline Project, "Kiran Court", Plot No. 85, Sector 1, Gandhidham, (Kachchh), Gujarat.

SCHEDULE

Tehsil : Radhanpur : District : Banaskantha State : Gujarat

Name of Village	Survey No.	Area		
		Hec-tare	Are	Sq. Metres
1	2	3	4	5
Nanapura	106	0	11	60
	107	0	10	88
Satun	234	0	00	73
	233	0	18	36

[F. No. R-31015/2/92-OR II]

KULDEEP SINGH, Under Secy.

संचार मंत्रालय

(डाक विभाग)

नई दिल्ली, 12 मार्च, 1992

का. आ. 1095.—राजभाषा नियम, (संघ के शासकीय प्रयोजनों के लिए प्रयोग) 1976 के नियम 10 के उप-नियम (4) के अनुसरण में केन्द्र सरकार, डाक विभाग के निम्नलिखित अधीनस्थ कार्यालयों को, जिनके 80 प्रतिशत कर्मचारियों ने हिन्दी का कार्यासाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है:—

1. अधीक्षक डाकघर,
चम्बा मंडल, हिमाचल प्रदेश सर्किल।
2. अधीक्षक रेल डाक सेवा,
"जे" मंडल,
राजस्थान सर्किल।
3. प्रबंधक,
पुनः प्रेषण केन्द्र,
जयपुर।

[सं. ई—11025—1/91 रा. भा.]

डा. गिरिवरधारी सिंह, निदेशक (राजभाषा)

MINISTRY OF COMMUNICATIONS

(Department of Posts)

New Delhi, the 12th March, 1992

S.O. 1095.—In pursuance of sub-Rule (4) of Rule 10 of the Official Language (Use for Official purpose of the Union)

Rules, 1976 the Central Government hereby notify the following subordinate offices of the Department of Posts where 80 percent staff has acquired the working knowledge of Hindi.

1. Superintendent, Post Offices,
Chamba Division,
Himachal Pradesh.
2. Superintendent
Railway Mail Services,
'J' Division
Rajasthan Circle.
3. Manager,
Return Letter Office,
Jaipur.

[No. E-11025-1/91-OL]

Dr. G. D. SINGH, Director (OL)

श्रम मंत्रालय

नई दिल्ली, 20 मार्च, 1992

का. आ. 1096—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार रायलसीमा ग्रामीण बैंक के प्रबन्धन के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में मध्यस्थ के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-3-92 को प्राप्त हुआ था।

[संख्या एल-12011/42/91/आई. आर. (बी. III)]

एस सी शर्मा, डेस्क अधिकारी

MINISTRY OF LABOUR

New Delhi, the 20th March, 1992

S.O. 1096.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Arbitrator as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Rayalaseema Grameena Bank and their workmen, which was received by the Central Government on 20-3-1992.

[No. L-12011/42/91-IR.B.III]

S. C. SHARMA, Desk Officer

ANNEXURE

BEFORE SHRI J. KANAKIAH, DEPUTY CHIEF LABOUR COMMISSIONER (CENTRAL) NEW DELHI ARBITRATOR
IN THE INDUSTRIAL DISPUTE BETWEEN THE
MANAGEMENT OF RAYALASEEMA GRAMEEN BANK
AND THEIR WORKMEN REPRESENTED BY RAYALASEEMA GRAMEEN BANK EMPLOYEES UNION, CUD-
DAPAH, ANDHRA PRADESH

PRESENT :

On behalf of the management :

- (1) Shri N. Balakrishna,
General Manager.
- (2) Shri I. V. Reddy,
Sr. Manager, PSD.
- (3) Shri T. G. S. S. N. Maheswara Rao,
Officer, PSD.

On behalf of the Rayalaseema

Grameen Bank Employees Union :

- (1) Shri G. Vengala Reddy,
Vice President.

- (2) Shri M. Viswanatha Reddy,
General Secretary.
- (3) Shri K. Ramakrishna Reddy,
Joint Secretary.

AWARD

The Government of India, Ministry of Labour, vide letter No. L-12011/42/91-IR.B.III dated 11-10-91, referred the industrial dispute between the management of Rayalaseema Grameena Bank (hereinafter referred to as "management"), Cuddapah, Andhra Pradesh and the President, Rayalaseema Grameena Bank Employees Union (hereinafter referred to as "Union"), Cuddapah, Andhra Pradesh, regarding redesignation of Sweeper-cum-Messenger as Messenger for my arbitration.

The hearing in the matter was held on 17-12-91 and 18-12-91 at Cuddapah. The Union and the management submitted their detailed written arguments during the course of hearing. The Union submitted that the designation "Sweeper-cum-Messenger" is contrary to the guidelines issued by Government of India, and lowers the dignity of the employees working in the subordinate cadre of the bank. The Union, therefore, demanded that all the Sweeper-cum-Messenger employees, presently designated as sub-staff (SCM) should be designated as "Messengers" strictly in accordance with the guidelines issued by Government of India from time to time. The Union submitted that their demand is justified for the following reasons :

- (1) The Government of India, while establishing the Regional Rural Banks (RRBs) under the Regional Rural Banks Act 1976, permitted the banks to appoint sweepers on part-time basis for the purpose of cleaning the premises. The management while appointing them as part-time sweepers, had extracted the services on full time basis, and paid the wages of daily wage workers.
- (2) The Government of India, vide orders dated 8-10-84, directed all the Regional Rural Banks to absorb all the daily wage workers as full time messengers. In the guidelines given to the RRBs, the designation clearly mentioned was "Messenger". Besides that, the Government permitted the RRBs to appoint sweepers separately on contract basis or as casual labourers on job basis and meet the expenditure from the contingency.
- (3) The management, while absorbing the daily wage sweepers on regular basis, designated them as Sweeper-cum-Messengers which was not prescribed either in the staff service regulation of the bank or in the guidelines issued by the Government of India in this regard.
- (4) The National Tribunal, who went into the whole gamut, directed the Government to equate the existing cadres in the RRBs to the comparable posts available in the sponsoring commercial banks. In pursuance of these directions, the management designated the Senior Clerk-cum-Cashier and Field Supervisors as Officers, but did not designate the Sweeper-cum-Messenger as Messengers which is the comparable post in the sponsor bank. There is no post by the designation of Sweeper-cum-Messenger in the sponsor bank.
- (5) The Pinakani Grameena Bank, which was also sponsored by the same Syndicate Bank, redesignated the post of Sweeper-cum-Messenger as Messenger. In Sri Anantha Grameena Bank, which was also sponsored by Syndicate Bank, some of the post of Sweeper-cum-Messengers were designated as Messenger. But, for obvious reasons, the resignation of Sweeper-cum-Messenger has not been changed in the Rayalaseema Grameena Bank.
- (6) The management would not have any financial liability by changing the designation of Sweeper-cum-Messenger to Messenger.

- (7) The management is required to strictly comply with the guidelines issued by Government of India from time to time in all these matters. But, instead, they were guided by the clarifications issued by the sponsor bank and National Bank for Agricultural and Rural Development (NABARD) who have no role to play as far as the service conditions of the employees of the RRBs are concerned.

For the reasons explained above, the Union prayed for redesignating of the existing 158 posts of Sweeper-cum-Messenger in the Rayalaseema Gramseena Bank as Messenger in accordance with the guidelines issued by Government of India. The Union stated that the employees in the dispute, i.e. the sweeper-cum-messengers will continue to perform the duties of sweepers as well as messengers after redesignating as messengers. The Union also assured that these employees would continue to perform the duties for the same number of hours as they have been performing from the inception of the bank and they would not make any further claims for appointment of separate sweepers and pay additional wages for performing the duties of sweepers in addition to the job of messengers.

The representatives of the management, on the other hand, pleaded that the previous designation of sweeper-cum-messenger as well as the present designation as Sub-ordinate Staff (SCM) would clearly indicate the actual work performed by them, and there is no justification for designating Sweeper-cum-Messenger as Messenger. The management furnished the following reasons in support of their stand.

- (1) At the inception of the RRBs, there were no posts of either messengers or sweepers. The branches were, however, permitted to engage part-time sweepers for the purpose of sweeping the premises by paying an amount ranging from Rs. 30 to Rs. 40 per month. Subsequently, due to increase in the volume of business, the branches were permitted to pay daily wages and also engaged them for performing the duties of messenger on part-time basis.
- (2) The Government of India issued guidelines in the year 1984 for regularisation of all the employees stipulating the age, qualifications, etc. The NABARD issued necessary guidelines in the year 1987 relaxing the age and qualifications for those employees already working as part-time sweepers on the representations submitted by the Unions.

While regularising the services of temporary, part-time sweepers, the management sought for clarifications from the sponsor bank and they were advised to designate the employees in question as Sweeper-cum-Messengers. It is also informed that they should continue to discharge both the duties of sweeper and messenger. In pursuance of those instructions, the employees were designated as Sweeper-cum-Messengers, and were regularised. The management submitted that there was absolutely no justification in the demand of the Union for redesignating them as Messengers for the following reasons :

- (1) The designation of Sweeper-cum-Messenger is uniformly followed in all the RRBs sponsored by Syndicate Bank.
- (2) The Pay Equation Committee appointed by Government of India in pursuance of the NIT award for the purpose of recommending the equation of posts with the posts of employees working in the sponsor bank, equated the post of Sweeper-cum-Messenger etc. in the RRBs to those in the sponsor bank. In para 2.7.9, it was stated that by whatever designation they were called, they shall be equated to messenger in the concerned sponsor bank. It was clearly clarified that the equation is for the purpose of identification of relevant pay-scales and these employees shall continue to discharge the duties as hitherto or as desired by the RRBs. The sponsor bank clarified that the sweeper-cum-messenger cannot be given the designation of Messenger as has been given in the sponsor bank just because they have been equated to the post of comparable level in the sponsor bank.

- (3) The sponsor bank, referred the matter to the NABARD, and they also clarified that the designation of Sweeper-cum-Messenger shall continue. The sponsor bank also took up the matter with the NABARD to amend sub-clause 3 of Regulations (ii) so as to include the designation of Sweeper-cum-Messenger as the said designation is not existing at present. The NABARD had so far not amended the Rayalaseema Gramseena Bank (Staff) Regulations, 1980 and included the designation of Sweeper-cum-Messenger.

- (4) The Government of India recently constituted a committee under the Chairmanship of Shri K. C. Gupta, Chief General Manager, NABARD, consisting representatives of Government of India, Indian Banks Association and sponsor banks to suggest and advise on :

- (a) Recruitment/promotion in RRBs consequent on adoption or parity.
- (b) Framing of service regulations to all categories of employees of RRBs, and
- (c) Other residual issues in the context of implementation of NIT award and recommendations of Pay Equation Committee.

The representatives of the management stated that the matter regarding designating the post of Sweeper-cum-Messenger is also a point of reference to the Committee and recommendations of the said committee are awaited.

- (5) The instructions/guidelines issued by NABARD and the sponsor bank should be followed by the bank and they cannot overlook the instructions issued in this regard.

The Union has been demanding the redesignation of the post of Sweeper-cum-Messenger as Messenger since long. In 1984, the Government of India issued guidelines for regularisation of these candidates stipulating the age and educational qualifications. According to the guidelines, these daily wage workers on regularisation would draw the salary and other allowances admissible to the corresponding posts in the respective State Governments. However, the educational qualifications, age, etc. were relaxed in the year 1987 by the NABARD in respect of those who were already working in the branches as part-time sweepers. While regularising the services of the temporary part-time sweepers, the bank sought clarifications from the sponsor bank with regard to the duties to be performed by the messengers as well as about the requirement of engaging separate sweepers. The sponsor bank clarified that the temporary part-time sweepers shall be designated as sweeper-cum-messenger, and shall continue to discharge both sweeping and messenger duties. The bank, therefore designated these part-time sweepers as sweeper-cum-messengers and regularised.

The Union was, however, demanding the redesignation of sweeper-cum-messengers as messengers on the plea that the guidelines of Government of India was to designate them as messenger only. The management, however, informed the Union that all part-time sweepers who were regularised were uniformly designated as sweeper-cum-messengers in all the RRBs sponsored by Syndicate Bank, and it would not be possible to redesignate them as messengers without prior approval of the sponsor bank.

The Pay Equation Committee, appointed by Government of India in the light of NIT award for recommending the equation of posts with those in the sponsor bank, equated the sweeper-cum-messengers etc. in the RRBs to those of messengers in the sponsor bank. In para 2.7.9 of its report, the Committee observed that whatever designation they call, they will be equated to messengers in the concerned sponsor bank. The Committee, however, clarified that the equation was only for the purpose of identification of relevant pay-scales and the employees shall continue to discharge their duties hitherto or as directed by the bank. After the implementation of the above recommendations, the management took up the matter with the sponsor bank as to whether the sweeper-cum-messengers can be redesignated as messenger as there is no combined designation of sweeper-cum-messenger

in the sponsor bank. The sponsor bank again clarified that the RRBs were not required to give the same designation as existing in the sponsor bank, and it is only the pay which has to be equated to that of the posts of comparable levels in the sponsor bank. The Union served a notice on 9-6-91 informing the management that they would be compelled to advise the sweeper-cum-messengers to boycott the sweeping duties w.e.f. 1-7-91 if the management failed to redesignate them as messengers. Since the management did not change the designation as requested by the Union, in view of the clarifications given by the sponsor bank, the Union gave a call for boycotting the sweeping duties from 15-7-91 onwards and also resorted to hunger-strike on a death by an employee from 29-7-91 onwards. After prolonged deliberations, the management agreed to address the sweeper-cum-messengers as sub-staff (SCM).

The only issue for consideration is as to whether the sweeper-cum-messengers can be designated as messengers or not. As explained above, all these employees were originally appointed as part-time sweepers and thereafter they performed the duties of messengers too. In view of the duties performed by these employees, the designation of sweeper-cum-messenger appears to be appropriate, and indicates the duties performed by them. The Government of India, Ministry of Finance, Department of Economic Affairs (Banking Division), in their letter No. F. 7(4)/84-RRB dated 8-10-84, created the posts of messengers on regular basis at the Head Office and branches as per the strength set out below :

- (a) Head Office—RRBs upto 50 branches—1 post
- (b) RRBs having branches between 51 and 75—2 posts
- (c) RRBs having more than 75 branches—3 posts

Only such branches of RRBs which have annual outstanding business of more than Rs. 40 lakh will be permitted to have a post for full-time messenger. The posts of the experience and in consultation with the NABARD and in supersession of the previous orders on the subject. The above communication clearly indicates that the Government have permitted the RRBs to create the posts of messenger after obtaining specific sanction of the Board of Directors. The Government of India had modified the above yardstick for creating posts of messengers as under in their letter dated 7-5-87 :—

- (a) Branches of RRBs having business of more than Rs. 30 lakh per annum shall have a post of full-time messenger and other branches will be eligible to have part-time messengers only.
- (b) Recruitment to the posts of regular messengers will be made in accordance with the guidelines contained in the above-mentioned Government of India letter dated 8-10-84.
- (c) In so far as the incumbents to the posts of messengers appointed or engaged before 8-10-84 are concerned, they shall be regularised in the available posts of regular messengers/part-time regular messengers after taking into account the modified business norms as stipulated in (a) above and where necessary by relaxation of educational qualifications and age limit prescribed in the Government of India letter of 8th October 1984.
- (d) The remaining incumbents of the post of messengers, who are at present being paid on daily-wage basis prescribed for the district, would be treated as 'Part-time Regular Messengers', and shall be paid 50 percent of the emoluments admissible to a regular messenger. They would, however, be given an option to continue to draw wages either on the existing daily wage basis or 50% of the emoluments admissible to a regular messenger.

The Government of India and NABARD created the posts of messenger after due examination of all representations received from the unions. The Government of India has nowhere directed for creating the post of sweeper-cum-messenger. The NABARD also sanctioned the posts of messengers and regularised part-time sweeper-cum-messengers in the duly

created/sanctioned posts. The Pay Equation Committee appointed by Government of India in the light of NIT award also recommended for equation of posts with those in sponsored banks. In the Syndicate Bank, which has sponsored the Rayalaseema Grammeena Bank, also, neither the post of Sweeper-cum-Messenger nor the designation sub-staff (SCM) exists. In other RRBs sponsored by Syndicate Bank, viz Pinakini Grammeena Bank, these sweeper-cum-messenger were designated as Messengers. In Sri Anantha Grammeena Bank, which is also sponsored by Syndicate Bank, some of the employees were designated as Messengers.

The sponsor bank, viz. Syndicate Bank, does not appear to be justified in directing the Rayalaseema Grammeena Bank to designate these employees as Sweeper-cum-Messengers when the Pinakini Grammeena Bank and Sri Anantha Grammeena Bank have designated these employees as Messengers. Besides, the posts created for this purpose are clearly shown as Messengers by the Government as well as Board of the Bank. Since there is no designation of Sweeper-cum-Messenger, the management is not justified in designating these employees as Sweeper-cum-Messengers. It is also not correct to say that the part-time sweepers, who were regularised by the RRBs in pursuance of Government of India guidelines, were uniformly called Sweeper-cum-Messengers. Two of the RRBs, sponsored by the same Syndicate Bank, have designated the Sweeper-cum-Messengers as Messengers. Since the posts created for this purpose are undoubtedly designated as Messengers, these employees shall also be designated Messengers only. It will also be in the fitness of things to designate these employees as Messengers since their pay and allowance have been equated to that of the messengers in the sponsor bank, i.e. Syndicate Bank. It is further noticed that the substantial work performed by the employees in question is that of messenger and sweeping is hardly for an hour or so out of 8 hours of work performed by them. It is, therefore, ordered that the employees involved in the dispute shall be designated as Messengers.

But, while giving my award accordingly, it is clarified that these employees shall continue to discharge their duties of sweeping as well as duties of messengers as is being done at present. Both the duties of sweeping and of messenger will continue to be discharged by the employees involved in this dispute, but they shall be redesignated as Messengers. The Union has confirmed in writing that the employees involved in the dispute will continue to perform the duties of sweeper as well as messenger, and no new posts are required to be created consequent upon redesignating the employees involved in the dispute as Messengers. In view of the above assurance, there will not be any further change except in the designation and the employees will continue to discharge the duties of messenger as well as sweeper even after they are designated as messengers.

I give my award accordingly.

New Delhi.

Dated : 17-3-1992.

J. KANAKIAH, Dy. Chief Labour Commissioner
(Central) and Arbitrator

नई दिल्ली, 20 मार्च, 1992

का. आ. 1097.—औद्योगिक विवाद अधिनियम, 1947
(1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद, केन्द्रीय सरकार औद्योगिक अधिकरण व श्रम न्यायालय जबलपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-3-92 को प्राप्त हुआ था।

[सं. एन-12012/667/86-डी II (ए)]

एम. सी. शर्मा, डेस्क अधिकारी

New Delhi, the 20th March, 1992

S.O. 1097. —In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Cum-Labour Court, Jabalpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of State Bank of India, and their workmen, which was received by the Central Government on the 20th March, 1992.

[No. L-12012/667/86-D.II(A)]

S. C. SHARMA, Desk Officer

ANNEXURE

BEFORE HON'BLE SHRI V. N. SHUKLA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT JABALPUR (M.P.)

Case No. CGIT/LC(R)239/1987

PARTIES :

Employers in relation to the management of State Bank of India, Gwalior (M.P.) and their workman, Shri Trilok Chand Raikwar, C/o, Ahri Damodar Raikwar, Nar Tat-ke Jee Ka Bada, Buzaria, No. 5, Damoh (M.P.).

APPEARANCES :

For Workman.—Shri D. P. Tiwari,

For Management.—Shri V. K. Yvas, Shri R. C. Srivastava, Advocate.

INDUSTRY : Banking. DISTRICT : Gwalior (M.P.).

AWARD

Dated, February, 28th, 1992

This is a reference made by the Central Government, Ministry of Labour, vide its Notification No. L-12012/667/86-D.II(A) dated 25th November, 1987, for adjudication of the following dispute :—

"Whether the action of the management of State Bank of India in terminating the services of Shri Trilokchand Raikwar w.e.f. 17-7-85 and not absorbing him in Bank's service was justified ? If not, to what relief is the workman entitled ?"

2. The workman is said to have been in the employment of the management as follows on casual daily wages :—

At Damoh Branch		
Month	Dates	Total days
1	2	3
April, 76	10/4/76	1 day
Aug., 76	6, 7, 10 to 14, 16, 17, 19, 20, 21, 23, to 27, 30 & 31	19 days
Sept., 76	1, 2, 9, 10, 11, 13, 14, 15, 16, 17, 18, 20, 21, 22, 25, 27, 28, 29, 30	19 days
Oct., 76	1, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 25, 26, 27, 28, 29, 30.	23 days
Nov., 76	1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 29, 30.	25 days
Dec., 76	1, 2, 3, 4, 6, 7, 8, 9, 11, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 29, 30.	20 days

1	2	3
Jan., 77	3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 15, 17, 18, 19, 20.	16 days
March, 77	4	1 day
May, 77	10	1 day
		Total 125 days

At Damoh City Branch

18-4-77 to 21-4-77	4 days
22-4-77 to 23-4-77	2 days
25-4-77 to 29-4-77	5 days
1-5-77 to 6-5-77	6 days
7-5-77 to 9-5-77	2 days
Total 19 days	

At Sagar University Br.

1-1-85 to 5-7-85 86 days.

3. His services were terminated with effect from 17-7-1985 without any prior notice etc.

4. The case of the workman is that he belongs to backward community and is registered under Employment Exchange. Though he could have been given permanency as represented by him, he was called on 13-10-1985 to appear for interview in connection with his election for absorption in permanent capacity, but has been discontinued from service as if interview was held for the purpose of eliminating him else he should have been continued. Other persons have been employed subsequently after his retrenchment. Termination of the workman is void and unjustified. After termination of his service other persons viz, Kailash, Hariam & several others have been employed. He is entitled to be reinstated with full back wages, continuity in service, leave, medical-leave etc. and any other relief.

5. Management says that the workman was employed on daily wages to clear extra load of work when he was required at different branches. He has never completed 240 days continuous service in any calendar year. The management having taken a sympathetic view afforded him an opportunity for interview on 13-10-1985 for absorption but he failed to qualify the test. The candidates selected in interview had fulfilled the legitimate need of labour force and hence the exigency to employ additional hands was over. Management never employed any person in place of the workman concerned and has not victimised the workman.

6. Reference is liable to be rejected.

7. Reference was the issue in this case.

REASONS FOR MY FINDINGS :

8. A perusal of the workman's working days disclose that the workman had hardly worked for 107 days in the year 1976 and 37 days in the year 1977 at Damoh Branch Damoh City Branch and for 86 days in the year 1985 at Sagar University Branch after a gap of almost more than seven years. The only question therefore remains to be decided is whether the workman was entitled to be re-employed when the vacancy arose and interview held under Sec. 25-H of the I.D. Act. It is not disputed that the workman was called for interview.

9. Section 25-G of the I.D. Act relates to procedure of retrenchment, according to which the workman who was the last person to be employed in that category, unless for reasons to be recorded the employer retrenches any other workman. Obviously, it is based on the principle of last come first go.

10. Now coming to the provisions of Sec. 25-H of the I.D. Act. Dr. H. G. Abhyankar while dealing with the

provisions on his commentaries on Industrial Disputes Act, 1947, 1st Edn. 1991 at page 435 deals with the same as under :—

"Applicability of Section :

The section is applicable to a person who (a) is a workman within the meaning of sec. 2(s) of the act; (b) is retrenched within the meaning of sec. 25F; (c) is a citizen of India; (d) offers for re-employment; (e) to the employer who had retrenched him from the service. If all these conditions are satisfied then the retrenched workman is entitled for benefit under the section for a preference in employment over persons who do not fulfil the conditions under the section. A strict construction of the section would imply that all that is promised, a retrenched workman, whenever there is an offer for re-employment, is a preference in re-employment over any other person who does not fall into the same category. The section does not promise either the same job, or same remuneration, or the same terms and conditions of service. If it was the intention of the legislature to include all the above items in the word "preference over others" the section would have said so in clear terms. Whenever the intention was to ensure same remuneration or SAME terms and conditions of service, the Act has specifically and clearly provided for it as is evident from clause (b) of the proviso to sec. 25FF, or clause (a) of sub-section (1A) of sec. 25-FFF.

Principle for Re-employment :

The section lays down the following principle to be followed in case of re-employment of retrenched workmen. Wherever an employer intends to take on workmen, and if such an employer has retrenched any workmen in the past, then according to sec. 25-H, the employer is under an obligation to notify his intention, to recruit additional labour, to the retrenched workmen, and make them an offer of re-employment. If any of the retrenched workmen accept the offer and present themselves for re-employment, then such workmen shall get a preference in employment over any other persons who may be available. The essence of the principle is that there must be an offer and the offer must be accepted. If the offer is not accepted the matter ends there, and there is no further obligation on the employer under the section."

Some confusion arises while referring to Rule 76 of Industrial Disputes (Central) Rules, according to which rule, the rule applies to the workman who has worked for not less than one year and this definition of workman has been extended to Rule 77 and 78 also. Rule 78 relates to employment of retrenched workman. This is a case where the workman has not completed one year continuous service as required by Sec. 25-B of the I.D. Act. Thus the law has to be rationally interpreted. In this view of the matter when the workman after a gap of service for more than seven years was employed for 86 days in the year 1985 the question arises whether he should be given benefits of Sec. 25-H of the I.D. Act particularly when he was called for interview and did not succeed. His past service during 1976-1977 has little significance firstly because that service was hardly for a long time and was in intervals and secondly because this re-employment was after a gap of almost more than seven years. Thus in the particular circumstances of this case when the management has given opportunity to the workman to pass test of interview and having failed in that he should not be given benefit of Sec. 25-H of the I.D. Act. Workman is, therefore, not entitled to be reinstated. Reference is accordingly answered as follows :—

The action of the management of State Bank of India in terminating the services of Shri Trilokchand Raiwar w.e.f. 17-7-85 and not absorbing him in Bank's service was justified. He is not entitled to any relief. Parties to hear their own case.

V. N. SHUKLA, Presiding Officer.

नई दिल्ली, 24 मार्च, 1992

का. आ. 1098.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक आफ इन्दौर के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कार्किर्यों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण व अम न्यायान्य जबलपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-3-92 को प्राप्त हुआ था।

[संख्या एल.-12012/760/87 डी II (ए)]

ए.स. सौ. शर्मा, डेस्क अधिकारी

New Delhi, the 24th March, 1992

S.O. 1098.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Cum-Labour Court, Jabalpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of State Bank of Indore and their workmen, which was received by the Central Government on the 23-4-92.

[No. L-12012/760/87-D.II(A)]

S. C. SHARMA, Desk Officer.

ANNEXURE

BEFORE HON'BLE SHRI V. N. SHUKLA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M.P.).

Case No. CGIT[LC(R)(132)]1988

PARTIES :

Employers in relation to the management of State Bank of Indore, Zonal Office, 4, Maharana Pratap Nagar Bhopal (MP)-462006 and their workman, Shri Neeraj Sharma S/o Shri Shiv Ram Sharma, R/o Nai Sadak, Guna (MP) and Shri Anil Kumar Bhargawa S/o Shri Babu Lal Bhargawa, R/o Pandaji Ka Chauraha, Nai Sadak, Guna (M.P.).

APPEARANCES :

For Workman.—Shri A. K. Shasi, Advocate.

For Management.—Shri A. Arodhe, Advocate

INDUSTRY : Banking. DISTRICT : Indore (M.P.)

AWARD

Dated, March 6th, 1992

This is a reference made by the Central Government, Ministry of Labour, vide its Notification No. L-12012/760/87-D.II(A) Dated 12-12-1988, for adjudication of the following dispute :—

"Whether the action of the management of State Bank of Indore in terminating the service of S/Shri Anil Kumar Bhargawa and Neeraj Sharma and not considering them for further employment while recruiting fresh hands under Sec. 25H of the I.D. Act was justified? If not, to what relief are the concerned workmen entitled?"

2. Shri Neeraj Sharma was engaged at Myana Branch as Clerk-cum-Cashier on 20-9-1983. He had applied for being engaged as temporary Clerk-cum-Cashier. He worked

from 20-9-1983 with the said Branch of the State Bank of Indore and thereafter his services stood terminated w.e.f. 28-11-1983.

3. Shri Anil Kumar Bhargava was appointed on 31-1-1983 and worked upto 15-4-1983 as Clerk-cum-Cashier at Badarwas, District Shivpur, of the State Bank of Indore. His services were terminated thereafter.

4. Workmen say that they were called through the Employment Exchange and were recruited after interview. They were appointed on clear permanent vacancy. Even otherwise also they had a right to continue in service once having been selected. Sastri Award is fully applicable and they could only be terminated by an order giving 14 days notice. No such notice was given to them. The termination of service is no termination in the eyes of law and the workmen should be deemed to be in service.

5. After their termination one Shri Anand Gupchup was engaged on the very next day and thereafter Shri S. S. Rathore was also employed. This amounts to unfair labour practice. Similarly Shri A. K. Agarwal also was appointed after termination of Shri Anil Kumar. It is clear violation of S.25-H of the I.D. Act. The workmen are entitled to be reinstated with full back wages and consequential benefits.

6. Management says that Shri Neeraj Sharma had applied and he was appointed temporarily on leave vacancy. The temporary appointment was made in the absence of Shri O. P. Grewal who was transferred and relieved to Khilchipur Branch.

7. None of the workmen were ever interviewed or selected as alleged. Shri Bhargava was aware that he has been appointed as temporary hand to dispose of back log. Sastri Award is not applicable. They were casual workers appointed on casual basis. Shri A. K. Agarwal was engaged for a period of 8 days from 9-5-1983 to 16-5-1983. There is no violation of any the provisions of law. Their claim is accordingly liable to be rejected.

8. Reference was the issue in this case.

FINDINGS WITH REASONS :

9. I have gone through the documents Ex. M/1 to Ex. M/12 and the testimony of W.W.1, Neeraj Sharma and M.W.1, R. K. Talwar. Shri Neeraj Sharma has worked 70 days and Shri Bhargava has worked for 75 days. There was no clear post vacant as per testimony of R. K. Talwar (M.W.1). Shri Neeraj Sharma was appointed on leave vacancy while Shri A. K. Bhargava was engaged on account of temporary increase in the work of permanent nature. They were daily rated workers.

10. M.W.1, R. K. Talwar, has admitted in para 13 of his deposition that after removal of Shri Neeraj Sharma number of persons were engaged and Shri Neeraj Sharma was not given an opportunity.

11. Shri Bhargava has not come up before this Tribunal to prove his case. W.W.1, Neeraj Sharma, could not say as to far how much period Shri Bhargava worked. He admits that he was not given appointment letter. He further admits that he was appointed against the vacancy of Shri O. P. Grewal. His evidence does not bring the case of the workmen within the purview of S.25H of the I.D. Act. No relevant provisions of Sastri Award has been shown to me to establish that the workmen were entitled to 14 days' notice. It is also a matter of doubt whether provisions of Sec. 25H of the I.D. Act would apply in the instant case in view of Rules 76 to 78 of the Industrial Disputes (Central) Rules, 1957. In fact as per Rule 76 which apply to Rule 78 also the definition of 'workman' has been confined to have been employed for not less than one year. Rule 78 gives out procedure relating to the employment of retrenched workman.

12. Even otherwise also, there is nothing to show that there has been violation of S.25H of the I.D. Act. Merely some persons were engaged for few days would not bring the case of these workmen within the purview of S.25H

of the I.D. Act. The workmen are not entitled to any relief whatsoever. Reference is accordingly answered as under :—

The action of the management of State Bank of Indore in terminating the services of S/Shri Anil Kumar Bhargava and Neeraj Sharma and not considering them for further employment while recruiting fresh hands under Sec. 25H of the I.D. Act was justified. They are not entitled to any relief. No order as to costs.

V. N. SHUKLA, Presiding Officer

नई दिल्ली, 23 मार्च, 1992

का. आ. 1099—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्वय में केन्द्रीय सरकार बारमुसा साईल्स आफ राऊरकेला स्टील प्लांट "मेल" राऊरकेला के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में औद्योगिक अधिकरण भुवनेश्वर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-3-92 को प्राप्त हुआ था।

[संख्या एन 26012/12/90-आई आर (विविध)]

वी. एम. डेविड, डेस्क अधिकारी

New Delhi, the 23rd March, 1992

S.O. 1099.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal Orissa, Bhubaneswar as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Barsua Mines of Rourkela Steel Plant, SAIL, Rourkela and their workmen, which was received by the Central Government on the 23-3-92.

[No. I-26012/12/90-IR(Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

INDUSTRIAL TRIBUNAL, ORISSA, BHUBANESHWAR
PRESENT :

Sri R. K. Dash, LL.B.,
Presiding Officer
Industrial Tribunal,
Orissa, Bhubaneswar.

Industrial Dispute case No. 16 of 1991 (Central)
Dated, Bhubaneswar, the 6th March, 1992

BETWEEN :

The Management of Barsua Iron Mines of Rourkela
Steel Plant, SAIL, Rourkela. —First Party-
Management.

AND

Their workman Sri Stephen Suren represented through
the North Orissa Workers' Union, P. O. Rourkela,
Dist. Sundergarh. —Second Party-Workman.

APPEARANCES :

Sri A. Acharya, Sr. Law Officer.—For the First Party-
management.

None.—For the second party-workman.

AWARD

The Government of India in the Ministry of Labour in exercise of powers conferred upon them by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) and by their order No. L-26012/12/90-IR(Misc.) dated 18-4-91 have referred the following dispute for adjudication by this Tribunal :—

“Whether the demand of the North Orissa Workers Union for rectification of date of birth of Shri Stephen Suren, Chargeman (Electrical) Pl. No. 34963, Barsua Iron Mines of Rourkela Steel Plant, SAIL from 1-12-1932 to 1-12-1939 is justified? If so, what relief the workman Shri Suren is entitled to?”

2. This case was posted to today for hearing. The workman is absent and has not taken any steps. The representative of the management submits that he has no evidence to lead. In absence of any material it can not be said that the ‘demand of the North Orissa Workers’ Union for rectification of the date of birth of Sri Stephen Suren, Chargeman (Electrical) Pl. No. 34963, Barsua Iron Mines of Rourkela Steel Plant, SAIL from 1-12-1932 to 1-12-1939 is justified.

The reference is, therefore, answered accordingly.

Dictated and corrected by me.

R. K. DASH, Presiding Officer

नई दिल्ली, 25 मार्च, 1992

का. आ. 1100.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार हल्दिया डाक काम्प्लेक्स के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कलकत्ता के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-3-92 को प्राप्त हुआ था।

[संख्या एल—32012/11/90—आई आर (विधि)]

बी. एम. डेविड, डेस्क अधिकारी

New Delhi, the 25th March, 1992

S.O. 1100.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (114 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Calcutta, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Haldia Dock Complex and their workmen, which was received by the Central Government on the 25-3-92

[No. L-32012/11/90-IR(Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
AT CALCUTTA

Reference No 6 of 1991

PARTIES :

Employers in relation to the management of Haldia Dock Complex.

AND

Their Workmen.

877 GI 92-6

PRESENT :

Mr. Justice Manash Nath Roy .. Presiding Officer

APPEARANCE :

On behalf of management.

Mr. R. Chowdhuri, Assistant Manager (P & I.R.).
On behalf of workmen—None.

STATE : West Bengal.

INDUSTRY : Port & Dock.

AWARD

By Order No. L-32012/11/90-IR(Misc.) dated 26th March/1st April, 1991, the Government of India, Ministry of Labour referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of Haldia Dock Complex in imposing punishment of withholding increment for a period of one year with the effect postponing future increment on Shri Rabi Chakravarty, No. 216, Traffic Operation Division, Haldia Dock Complex is justified or not? If not, to what relief the workman is entitled to?”

2. From the returns as available in the records, it would appear that service was effected, not on Sri Rabi Chakravarty, the employee concerned in the Reference (hereinafter referred to as the said employee), but such service should be deemed to be effected on the National Union of Waterfront Workers (Haldia Unit), (hereinafter referred to as the said union), through the Organising Secretary.

3. Mr. Ranadish Chowdhuri, entered appearance on behalf of the management of Haldia Dock Complex (hereinafter referred to as the said Complex which is under the Commission of the Calcutta Port Trust (hereinafter referred to as the said Trust). There was neither any appearance entered either by the said union or the said employee and the statement was filed by any of them. Even though, on November 7, 1991, a prayer was made on behalf of the said Complex to file their statement, but ultimately, no statement was filed by them and they only filed documents with copies to the other side and tendered their evidence through Sri D. K. Deb (MW-1) and he produced and proved the documents as would be indicated hereafter.

4. Ext. M-1 is the charge sheet dated November 17, 1983, whereby the said employee was charged for habitual absenteeism in as much as he remained unauthorisedly absent on 55 occasions during the period from August 1980 to August 1983 in spite of repeated advice and warnings issued to him and along with the charge-sheet, statement of imputations of his conduct/misbehaviour in support of the Article of charge as produced, were sent.

5. From his reply dated December 12, 1983 (Ext. M-2), it will appear that the said employee duly received the charge sheet and he admitted the allegations and stated that on each occasion of his absence, he has shown the reasons for such absence. It was also his case that he will not defend his case only for the purpose of defending and further requested the Authorities to kindly consider his unfortunate position, since he was to maintain two establishments one at Haldia and one at Calcutta, where all the members of his family were staying and he has to go to Calcutta frequently to attend his ailing mother. It was further stated by him that in the facts of the case holding an enquiry will be nothing but an idle ceremony and was further stated by him that he will be cautious in future.

6. Ext. M-5 is the order of punishment as imposed on the said employee and it will appear that the said order was duly received by him on February 23, 1985 and MW-1 has also agreed that before passing the said final order in Ext. M-5, no further enquiry was held, since the charges were admitted by him. It would appear that by Ext. M-6, the said employee preferred an appeal, which was not entertained by the Appellate Authority, as would appear from the note

sheet Ext M-7, on the observations/signature amongst others that the Appeal was barred by time.

7. Thereafter, a dispute was sought to be raised and on that, there were conciliation meetings. It is true that by Ext M-8, the signature of the said employee was sent to the Document Examiner, for necessary verification of the same and such reference was made, as the said employee, claimed in the conciliation that he did not receive the final order. It would also appear from Ext. M-9, the Report on Ext M-8, that the signatures examined, were the signatures of the said employee, and this, it was submitted on behalf of the said Complex, there was no justification in the claim of the said employee that he did not receive the final order.

8. After placing the records, the evidence and the facts, Mr. Chowdhuri submitted that on the basis of circulars and more particularly Ext. M-2 there was categorical admission by the said employee and as the proceedings were initiated on November 17, 1983, so the said Complex was not even required to hold a domestic enquiry and there could not be any doubt that the case was covered by the Calcutta Port Commissioner's Employee (Discipline & Appeal) Rules, 1964 and not by the subsequent Rule of 1987 and under Rule 9 of the said 1964 Rules the punishment as indicated, which was a minor one could be imposed even without holding the enquiry, but the same could be inflicted only after complying with the provisions of Rule 12 of that Rules, which were duly complied with, fulfilled and followed and furthermore, the appropriate Disciplinary Authority, duly considered and took the decision. It was also submitted that as the punishment imposed was a minor one so Rule 12 of the 1964 Rules had application and with the procedure for imposing major penalty as indicated in Rule 11. It was then submitted by Mr. Chowdhuri that the Appeal, if at all, as preferred by the said employee was admittedly barred under Rule 18 of the 1964 Rules, since the same was admittedly filed in 1989, i.e. by Ext. M-6 against an order in Ext. M-5. Such being the position, it was further indicated that the concerned appeal was duly rejected, even if not on merits by at least on the ground of admitted delay. It would also appear that on the stand taken by the said employee that he did not receive the final order, due verification of his signatures were made and Ext M-9 showed that such denial of his signature by the said employee, which he gave on the receipt of the final order, was his and as such agreeing with the submission of Mr. Chowdhuri, I hold that there were no merits in such stand, as taken by the said employee.

9. From the submission as recorded and regarding them with the records as made available and produced, there cannot be any doubt that the punishment as imposed was a minor one and the necessary formalities for imposing such punishment, in terms of Rule 12 of 1964 Rules, were duly and appropriately followed.

10. As such, I feel that the reference cannot be answered in favour of the said employee and as such the same should be rejected and I order accordingly.

11. This is my award.

Dated, Calcutta, the 10th March, 1992.

MANASH NATH ROY, Presiding Officer

नई दिल्ली, 27 मार्च, 1992

का. भा. 1101:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारत गोल्ड माइन्स लि., के. जी. एफ. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय

सरकार औद्योगिक अधिकरण बंगलूर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-3-92 को प्राप्त हुआ था।

[संख्या एल-43012/5/89—आई आर (विविध)]

बी० एम० डेविड, ईन्क अधिकारी

New Delhi, the 27th March, 1992

S.O. 1101.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Bangalore as shown in the Annexure in the industrial dispute between the employers in relation to the management of Bharat Gold Mines Ltd., K.G.F. and their workmen, which was received by the Central Government on the 24-3-92.

[No. L-43012/5/89-IR(Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT BANGALORE

Dated this 18th day of March, 1992

PRESENT:

Sri M. B. Vishwanath, B.Sc. B.L., Presiding Officer

Central Reference No. 48/89

I PARTY:

Sri Narayanaswamy, No. 431/313, W.T. Block, Oorgaum P.O., K.G.F.-563120.

Vs.

II PARTY:

The Managing Director, Bharath Gold Mines Ltd., Oorgaum P.O. K.G.F.-563120.

AWARD

By order No. L-43012/5/89-IR(Misc.) dated 31-7-1989, the Hon'ble Central Government had referred this dispute for adjudication under Clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), to this Tribunal.

2. The point for adjudication as per schedule to reference is as follows:

"Whether the action of the management of B.G.M.L., K.G.F. in retiring Sri Narayanaswamy, Assistant Foreman, Mysore Mine Mill from service from 2-9-1988 is justifiable? If not, what relief is he entitled to?"

3. The evidence was recorded. The case was posted from time to time for hearing the reference on merits

4. But on 18-3-1992, the I Party has filed a memo not pressing the reference. This memo is signed by the I Party and his Advocate. In view of this memo, not pressing the reference, the reference is rejected. Award passed rejecting the reference. Submit to the Government.

M. B. VISHWANATH, Presiding Officer

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL AT BANGALORE CITY

C. R. No. 48/1989

FIRST PARTY : Harayanaswamy, residing at No. 431/
313, W. T. Block, Oorgaum, KGF-563128.

Vs.

SECOND PARTY : The Management of Bharat Gold
Mines Limited Oorgaum, KGF by its Managing
Director.

MEMO

The First Party above named respectfully prays that this above Central Reference may be dismissed so not pressed, it would be in the interest of justice to do so.

Advocate for the First Party.

Sd./- Illegible

Sd./- Illegible
First Party.

Bangalore.

Dated : 18-3-1992.

नई दिल्ली, 27 मार्च, 1992

का. घा. 1102:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार कलकत्ता पोर्ट ट्रस्ट के प्रबंधन के संबंध में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कलकत्ता के पंचतट को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-3-92 को प्राप्त हुआ था।

[संख्या एल-32012/3/86—डी IV (ए)]
बी०एम० डेविड, डेस्क अधिकारी

New Delhi, the 27th March, 1992

S. O. 1102.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Calcutta as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Calcutta Port Trust and their workmen, which was received by the Central Government on 25-3-92.

[No. L-32012/3/86-D. IV(A)]
B. M. DAVID, Desk Officer.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
AT CALCUTTA

Reference No. 36 of 1988

PARTIES :

Employers in relation to the management of Calcutta
Port Trust.

AND

Their workmen.

PRESENT :

Mr. Justice Manash Roy, Presiding Officer.

APPEARANCES :

On behalf of Management : Mr. P. Roy Deputy Labour
Adviser and Industrial Relation Officer with Mr.
G. Mukherjee, Personnel Officer.On behalf of Workmen : Mr. A. Bhattacharya, General
Secretary of the Union.

STATE : West Bengal

INDUSTRY : Port

AWARD

Over the refusal of the management of the Calcutta Port Trust (hereinafter referred to as the said employer), to record the date of birth of Sri Chittranjan Rangi, Laskar, Hydraulics Pumping Station (hereinafter referred to as the employee), a dispute on being raised, was referred for adjudication before this Tribunal by the Central Government vide Order No. L-32012/3/86-D.IV(A), dated May 1, 1987, made under section 10(1)(d) read with Section 2A of the Industrial Disputes Act, 1947 (hereinafter referred to as the said Act).

2. On service of usual notices, the parties to the proceedings duly completed their pleadings, lead evidence, both oral and documentary, in support of their respective cases.

3. The said employee was represented by the Calcutta Port Trust Workers' Union (hereinafter referred to as the said Union, who, on May 25, 1987, filed the Written Statement stating inter alia amongst others that the said employee was appointed as unskilled labour under the Chief Mechanical Engineer's Department of the said Trust on February 15, 1965 and as at that time, he was not in possession of his School Leaving Certificate and also with the view to secure the job immediately, he gave a declaration to the effect that he had no evidence to prove his age. Such action was stated to have been taken, as for the purpose of saving his life, and as the said employee was to secure the service, without any delay.

4. In view of the above, it has been stated that the said employee was referred to the Medical Officer of the said Trust, for assessment of his age. It would appear from the recordings as made thereafter and the statements made that while acting in that manner, the said Trust, acted duly. It would appear that the said Medical Officer, assessed the age of the said employee as 30 years on February 10, 1965 and accordingly in the records of the said Trust, the date of birth of the said employee, was recorded as February 10, 1935.

5. It has been stated that thereafter, on securing the School Leaving Certificate in 1975, the said employee submitted an application to the Chief Mechanical Engineer of the said Trust, requesting him to change his date of birth as recorded in the line of that certificate, which was granted by the Head Master, Gotalaghat Higher Secondary School and where from it appeared that the date of birth of the said employee, was recorded in the Admission Register of that school, as September 22, 1943. The certificate as produced, has been produced in this proceedings as Ext. W-4 and the same appeared to have been issued by one N. L. Roy, stating to be the Head Master of the School. It has been alleged that in reply, the officer as mentioned above, informed the said employee that his case was referred to the Medical Officer, for assessment of age, as at the time of entry, no documentary evidence was produced by him.

6. Such refusal to correct the date of birth of the said employee, has been claimed to be improper, firstly as at the time of entry, the declaration of the date of birth as given by him, the said employee differed from that declaration, since he secured and produced his School Leaving certificate, only in 1975. This stand appeared to be unjustifiable. It was stated that secondly, the said employee was under the impression that after securing the said certificate he could make such request for the change of his date of birth and as he had to give the earlier declaration, regarding the date of birth, for securing the service, for reasons as

indicated earlier. According to the said Union, the question of proof of age was thus and should have been deemed to be of lesser importance, the more so when, such declaration had to be given by the said employee, to overcome the struggle, which he was facing, for making both ends meet together and when it was also uncertain, as to whether he would be able to secure the said certificate. Such stand of the said employee, was really very difficult to be believed and relied upon and I feel that if such stand as taken, is taken into consideration and is allowed to be given effect to or acted upon, there will be end of all disciplines and norms in respect of the qualifications with regard to age criteria, in the matter of appointments in service jurisprudence.

7. It has further been alleged that the system of assessing age by the Medical Officer, on the basis of appearance of an employee, is not satisfactory and scientific. Peculiarly, it has been further alleged without any basis, that the Medical Officer in this case, assessed the age of the said employee and not his date of birth, whereas the School Leaving Certificate will show that his date of birth was incorporated and indicated in the Admission Register. This is also a ground which is very difficult to follow and to make out any meaning. That Register, was of course not produced and neither the School Leaving Certificate nor the identity and signature of the maker of the same, was legally proved and established.

8. In view of the above, it was prayed that the said employees claim for change of his date of birth, on the basis of his School Leaving Certificate, should be held to be justified and as such, the said Trust should be directed to accept the age of presently disclosed by the said employee and to give him all consequential benefits.

9. It was claimed by the said Trust, in their Written Statement dated October 28, 1987 that a certificate like the present one, is considered as a valid document, for the purpose of ascertaining and recording the correct age of all employees and in case, a prospective employee, fails to produce such certificate, his case is referred to the said Trust's Medical Officer, along with the necessary Form G-53, for the purpose of ascertaining his fitness for the concerned post and assessment of age and the said officer, after necessary examination, endorse that Form under his hand, noting therein, the age of the employee, so examined and thereafter, the concerned Department appoints that person in service under the said first, who, then, opens the service Register, which is also known as Service Sheet, where the age of the time of appointment is recorded and his left thumb impression/signature is obtained and thereafter, the employee concerned is supplied with such Service Book, containing all the particulars as recorded in his Service Sheet. It has further been stated that the date of retirement of an employee is determined on the basis of the age as recorded in such sheet. Mr. Bhattacharya claimed that reference to the said G-53 Form, should not be allowed to be made or any reliance should be placed on the same, as admittedly, the said G-53 Form, was neither produced nor proved in this case. Such submission cannot be accepted, as there was no dispute about the existence of the said Form and the recording in this case was made on the basis of admitted voluntary statement of the said employee and since there was no dispute raised about he being not examined.

10. It has been agreed that the said employee was appointed as unskilled labour on February 15, 1965 and on his selection, he declared in writing that he possessed no documentary evidence to prove his age and as such, he was sent to the Medical Officer of the said Trust along with the necessary form, as referred to earlier and in that Form, the Chief Medical Officer, on examination, duly recorded the age of the said employee as thirty years on February 10, 1965. Then, the said Form was handed over to the said employee, with the advice to give the same back to the issuing authority and a Service Sheet was opened in the Chief Mechanical Engineer's Department on duly recording the age of the said employee as 30 years on February 10, 1965 and he, in his turn, accepted the said recording along with other recordings as made therein, by affixing his Left Thumb Impression, at the specified space in that sheet. It has been stated that in this case, there was no deviation from the normal procedure, in the matter of assessment of age. It has also been stated that subsequently, the said em-

ployee was promoted with effect from April 2, 1983 and he being in Class-IV service of the said Trust, was required to retire on attending 60 years of age. Thus, on the calculation and following his age as recorded, the said employee is to be superannuated on and from March 1, 1995.

11. It has been stated that the said Union, by their letter dated September 23, 1985, purported to raise a protracted industrial dispute, demanding the change of the date of birth of the said employee on the basis of the copy of the School Leaving Certificate Ext. W-4, where the date of birth of the said employee has been shown as September 22, 1943. Such dispute was sought to be raised, admittedly, after about twenty years. There is no doubt that the said conciliation failed and as such, the present Reference was made.

12. It has been contended that the age of the said employee as assessed prior to his appointment, should be deemed to be final and conclusive, for the purpose of his retirement from the services of the said Trust, on attending 60 years, the more so when, he admitted the recordings by affixing his Left Thumb Impression. It was stated that from the attending circumstances of the case, it should be held that the age of the said employee, as recorded, on the basis of his own statements and declarations, was done duly, legally and properly and such belated demand for the change of date of birth/age as recorded and put-forward by the said employee, cannot be allowed and in any event, the said employee cannot be allowed to have his date of birth age as recorded changed, on the basis of his whims and at such a distant date, as such action, if allowed, will be deemed to be an interference with the terms of service. It was contended that the certificate Ext. W-4 was not duly, properly and legally proved.

13. A rejoinder dated July 4, 1988, was filed on behalf of the said employee, wherein the material allegations of the said Trust's written statement, were denied and disputed.

14. The said employee as WW-1 deposed that he asked for 7 days time, to produce necessary evidence at the time of his entry in the services, which was not allowed and on February 2, 1980 only, he came to know about the wrong recording of his age, when he applied to the Head of the Department i.e., C.M.E. for necessary correction and the said officer expressed his inability to do anything in the matter. To establish the above statement, reference was made to Exts. W-1 and W-2. But one thing is certain that the said employee did not deny his LTI in the service sheet M-1. He also admitted that by Ext. M-2, he was sent for Medical examination and that document also contained his L.T.I.s, in appropriate places. He could not also deny that he was served with the service sheet Ext. M-3. It was his claim that he was asking for the correction of his age on the basis of Ext. W-4, which was issued on July 23, 1975. The validity of the certificate or whether the same was the original or not, was in doubt, as in the certificate Ext. W-4, there was mention of another certificate, which was not produced and the said employee himself was in doubt why in the certificate as produced, the word "Original" was mentioned and he also agreed that the writings at the top of the exhibit will indicate that the original of the same was issued on February 19, 1964. As stated earlier, the said original was not produced and proved, similarly, the said Ext. W-4 was also not proved duly and legally. It was further admitted by the said employee himself that he gave a declaration that he could not produce the proof of his age, as at the time of appointment, his house was burnt. Is it not strange that the said employee could not remember his date of entry in the concerned school, which has issued Ext. W-4? The said employee has also admitted that he lodged his claim in 1982 i.e. after a long lapse of time.

15. MW-1, Sri Promode Kumar Chattopadhyaya was the Assistant Secretary of the said Trust and at the relevant time to his deposition, he was in the Administrative Department. He has testified, in the matter of recording of age, when an intending applicant for appointment, fails to produce relevant evidence regarding his age and how the matter is solved, on a reference to the Chief Medical Officer or what procedure is followed, if such evidence is pro-

duced later. He has, stated that in such circumstances, the same is considered under Note 5 to F.R. 56. He has also deposed about Government Instructions, in the matter of correction of age. He agreed that the Circular dated July 7, 1974 Ext. W-5, which is an extract from the Management of the said Trust, to all the Heads of Departments, was issued. He of course could not verify whether the said copy was a correct one or not, but he also agreed that another Circular dated December 21, 1988 Ext. W-6, on the subject of formalities to be adopted for recording of age at the time of appointment in Class-IV category under Trustees' service, was issued. The date of this circular was December 21, 1988 and since no specific date was mentioned viz. whether the same would be operative from an earlier period or not, I think the same should be deemed to be prospective and not retrospective. Thus, I feel, that the said employee, on consideration of his date of entry, cannot have any benefit or effect of the same. It was stated by the witness that disputes of the present nature, are initially sought to be regularised and settled at the Administrative level on following the guidelines as indicated and thereafter, the same is referred to the Central Age Committee, consisting of 3 members, one of them is from the Labour Department and two others from Finance and Administrative Departments, and when in 1985, the present dispute was referred, the Administrative Committee was not there, as the said Committee was constituted in 1989 as such, there was no scope of the reference of the present dispute before that Committee. The other witness on behalf of the said Trust was Sri Sunil Kumar Nandy, MW-2, the Senior Labour Officer, Industrial Relations of the said Trust. He deposed about the conciliation proceedings and that the age of the said employee was recorded as 30 years on February 10, 1965, which according to him, was made, on the basis of Dock Hospital Registration No. 2650 dated February 8, 1965, which according to him, was recorded on the basis of Ext. M-1 and he further testified that from the endorsement at the back of Ext. M-2, it will appear that the said employee indicated that he possessed no other document in support of his age, as declared. He has also stated to have made attempt to verify the existence of the School, which issued Ext. W-4, not only by himself, but also through other officers, but could not find out the said school or any evidence of the existence of the same, from enquiries made in the locality. Ext. M-5 was the letter addressed to the Head Master of the school, by a Senior Officer of the said Trust, Mr. Bhattacharya, with some justification claimed that it is difficult to rely on or accept the evidence of this witness, who was the Industrial Relations Officer, regarding the enquiries made by him personally or through any other officials, since it is not expected that any officer, ordinarily would, make such personal enquiries, to find out the truth of the claim of the present nature. In fact, no record in support of the same, excepting the oral testimony of Sri Nandy was available. However, if Sri Nandy had made such personal enquiries in the matter as indicated, that must be appreciated, as, that will certainly be against the ordinary conduct of the officers, in a case of the present nature. Be that as it may, nothing much turns out on that evidence, as the facts of this case, admittedly established that the said employee made such statements, which support the case of the said Trust.

16. Appearing for the said Trust, Mr. Roy contended that if the order of Reference is read and considered with the Schedule thereunder, the dispute as sought to be referred, could not, in the facts of the case, be considered as an Industrial dispute under the said Act, as admissible, the said employee, of his own, agreed and admitted the date of birth as February-10, 1965 and also accepted the date or age as recorded on that basis, by his own act and violation and the story as sought to be spinned out by him subsequently, to have such admitted and recorded age changed, could hardly be believed and relied upon. I have already indicated earlier, the invalidity and how strange and unbelievable was the stands taken by the said employee and as put forward, against his admitted declaration of age at the time of entry in the service and the circumstances why, such stand cannot be accepted and allowed to be put forward. There is no doubt that the recording of age at the initial entry was not only made, on the basis of the voluntary declarations of the said employee, but such recording was

admitted by his own conduct, as referred to hereinbefore and he sought to raise the dispute or asked for the change of his recorded age, on the basis of Ext. W-4, at a late stage. His available L.T.I. in Ext. M-2, should go a long way and against him for considering his conduct.

17. There cannot also be any doubt and which would appear from the attending circumstances of the case that the said employee was aware of the recording of age as initially made in his service record and more particularly when, he was served/supplied with the Service Book Ext. W-3 and thereafter, on the basis of Ext. W-4, he applied for the necessary changes of his recorded date of birth, even though from his rejoinder also, it will appear that he was at least aware of the recordings, if not earlier, but at least on February 25, 1982 and yet, steps in the matter, were not taken by him immediately thereafter. As indicated earlier, Ext. W-4 was the basis, on which the said employee has asked for the necessary change in or correction of his recorded age. Apart from the fact that such action was taken at a very late and distant date, it should also be noted that even though the said exhibit was claimed to be or mentioned as the Original, the same was not given in the form of the school, but from the intersic evidence, appearing therefrom, it will appear that the position is otherwise, as the said certificate itself shows the endorsement "Duplicate, vide No. 19 dated August 13, 1964". That certificate as issued in August 1964 was not produced. That apart, neither the said duplicate Ext. W-4 legally proved nor the signature and identification of the maker of the same was either established. In support of the effect of such late attempt to have the recorded age corrected, Mr. Roy referred to the decision in the case of Steel Authority of India Ltd. Vs. Industrial Court, Indore and Ors., 1987 Lab. I.C. 579, where, it has been observed by a Learned Single Judge of the Madhya Pradesh High Court (Indore Bench) that if the application for change of date of birth is made at a late stage or nearer to the date of retirement, the same is liable to be rejected on the reasons as indicated therein. In that case, ofcourse, there was a Circular, which is not the case here. But I feel, that the basis as indicated therein, being wholesome in the case of Service jurisprudence, the same may be applied here and followed.

18. It cannot be disputed that in terms of their service and conditions of employment, the employees of the said Trust, including the said employee, will be governed by the Fundamental Rules and as such, Note 5 under F.R. 56 of that Rules, was applicable in the case of the said employee and as such, he was bound by his own declarations, in the matter of determination of age, as his case will not come under the exceptions as recorded under or in that note and more particularly when, there was or has been no dispute that Ext. M-3, the office Memorandum on the subject "change in the date of birth of Government Servants grant of pension for", was duly circulated. While on the point and instead of disputing about the application of the Fundamental Rules, Mr. Bhattacharya contended that the said Rules were never followed by the said Trust or applied against their employees. But, it cannot be held that since the said Rules have not been followed earlier, that will mean that the same is neither applicable nor could be applied here.

19. The age of the said employee, or his year of birth as indicated earlier, was recorded on his own declaration and action was taken in this case, for determination of age of superannuation, on that basis and as such, it was submitted by Mr. Roy, on the basis of the decision in the case of Surjit Jamadar Vs. L.I.C. of India and Ors. 1989 (58) F.L.R. 275 and the decision of the Central Administrative Tribunal (Calcutta Bench), in the case of Ananda Prasanna Mukherjee Vs. Union of India and Ors. 1980 Lab. I.C. 700, that the prayers as made or put forward by the said employee, are not maintainable or could be allowed. The first determination was by a Learned Single Judge of the Calcutta High Court regarding acceptance and change of age by the Authorities, on the declaration made by a Policy holder and such determination certainly agreed to a great extent with the Madhya Pradesh High Court decision as indicated earlier and the second decision, which was one under Article 311 of the Constitution of India, has not indicated anything contrary to the above. In addition

to the above, it should be noted that the decisions in the case of India General Navigation and Railway Co. Ltd. and Anr., and Their Workmen, 1965 (2) LLJ 437 and another determination of the Central Administrative Tribunal, Jabalpur, reported in the summary of cases in 1989 (58) F.L.R. were cited at the Bar. This was a Division Bench judgement of that Tribunal, in the case of Sheikh Abdul Majed Vs. Union or India, made on November 3, 1987, in T. A. No. 281 of 1986. All the above determinations, I feel, do support the submissions of Mr. Roy and change of the recorded age, should not ordinarily be established that such late submission of application for change of the recorded age, should not ordinarily be entertained. It must also be noted that when the identity of the said employee, in relation to the certificate Ext. W-4, has neither been established nor the said exhibit has been proved duly and legally, so, on the basis of the above determinations and also on the basis of the determinations in the case of Ram Murti Vs. State of Haryana, A.I.R. 1970 SC 1029, the said employee cannot achieve success in this case and for entertaining the submissions of Mr. Bhattacharya.

20. While on his submissions on the recording of age or what should be the correct method followed, Mr. Bhattacharya, referred firstly, to the case of Hari Chaman Paul Vs. The Calcutta Port Trust, an unreported decision of a Learned Single Judge of the Calcutta High Court, made on June 7, 1969, in Civil Rule No. 16419(W), of 1975, where the Writ Petitioner challenged the correction of his age as recorded in the Service Book. There was no return to the Rule. But, it appeared that the refusal to record the age, on the basis of School Leaving Certificate, was on the ground that the school was not a recognised one and the Learned Judge, while making his order, directed the respondents in the case to issue notice to the petitioner and determine the lis after hearing him. This determination will not apply in this case, since the facts and circumstances of the two cases are not similar and that determination was not on merit, furthermore when, the identity of the school and the certificate Ext. W-4 have not been duly and legally established and proved. Thereafter, and secondly, Mr. Bhattacharya referred to two other Single Bench orders of the Calcutta High Court. The first one, which was dated September 9, 1988, was made in C.O. 8164 (W) of 1984 and the second one was dated December 15, 1988. In the first case, there was no determination on merits or facts and the High Court has directed the respondents to constitute a Medical Board, indicating, who should be included in that Board. It has been further directed that the Board so constituted, should examine the writ petitioners within a stipulated time and such report should be communicated to the Court within the time as indicated in the order and there was also directions, for releasing retirement benefits to the petitioner. The second order as indicated, was made in continuation of the earlier order dated September 9, 1988, the particulars whereof have been indicated earlier. The report as made on the earlier directions, was found to be vague and striking the balance and taking a reasonable view, the Court has directed that the age of retirement of the writ petitioner, should be treated as December 31, 1988 and further directions were given for payment of his arrear salaries. This case also, like the earlier one, was on facts, which were not similar to the case before this Tribunal and as such, and so also, because of the fact that the determination was not on merit, I think, the same will not apply in this case. It should also be noted that none of the determinations was on the applicability of Rule 56 of the Fundamental Rules. Further reference was also made by Mr. Bhattacharya in the determination of the case as indicated in The Labour Service News, which again has mentioned the principles of law as decided. In that determination as referred by Mr. Bhattacharya, the petitioner was retired from service, on the basis of the date of birth as recorded with the employer, without hearing him and as such, it was held that as the action was taken, without giving him a reasonable opportunity, the same was bad. This case, to my mind, will not also appropriately apply or fit in with the facts of this case.

21. With their application dated November 25, 1992, amongst other documents, the said Union has produced

Awards dated May 21, 1982, passed a Reference No. 20 of 1990 (Employers in relation to the Management of Calcutta Port Trust And Their workmen) and Reference No. 16 of 1986 dated November 25, 1986. In the first case the Reference was whether the said Trust was justified in retiring on superannuation, one Sri Ganesh Chandra Saipati, U.S.L., attached to the Electrical Section of the Chief Mechanical Engineer's Department, with effect from a given date, was justified? It has been held, on consideration of the materials available in that case, that the date of retirement must be determined on the basis of the date of birth as mentioned in the School Leaving Certificate. The determination, to my mind will have no application in this case, as in that case, the age was recorded on the basis of a School Leaving Certificate, produced at the time of initial entry, whereas in this case, at the initial stage, no such certificate was produced and the age was recorded on the basis of the unequivocal declaration of the said employee and that apart, neither the certificate Ext. W-4 was duly and legally proved and so also the identity of the said employee and that of the maker of the same.

22. The other case as indicated earlier and cited by Mr. Bhattacharya and the determinations as made therein, to my mind will have the same fate like the determination in the case as indicated in paragraph 21 above. as in that case, the age of the employee concerned was sought to be recorded on the basis of his Admit Card, but the medical officer of the said Trust, instead of doing so recorded the age after looking at the physical appearance of the applicant, but in this case, at the time of initial entry, the said employee gave his own declaration of age and stated that there was no other evidence available with him. Even the certificate Ext. W-4, as produced later, was neither duly and legally proved nor the signature and the identity of the maker of the same or that the identity of the said employee relating to that certificate, was duly established and proved in accordance with law.

23. For the views above, I held that the case as cited by Mr. Bhattacharya will not apply in this case or help the said employee and as such, on consideration of the submissions, I held that the Reference cannot be answered in the affirmative and in favour of the said employee.

24. As such, the Reference should be and is hereby rejected.

25. This is my Award.

Dated, Calcutta,

The 5th March, 1992.

MANASH NATH ROY, Presiding Officer

नई दिल्ली 24 मार्च, 1992

का. आ. 1103—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एक सी आई ऑफ इंडिया भोपाल एम.पी. औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचवट को प्रकाशित करती है, जो केन्द्रीय सरकार को 23/3/92 को प्राप्त हुआ था।

[संख्या एन 22012/309 एक/(89 आई आर जोन-II)]

राजा खान, डेस्क अधिकारी

New Delhi, the 24th March, 1992

S.O. 1103.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Jabalpur as shown in the Annexure in

the industrial dispute between the employers in relation to the management of Food Corporation of India, Bhopal (M.P.) of their workmen, which was received by the Central Government on 23-3-1992.

[No. L-22012/309/R/89-IR(Zone-II)]

RAJA LAL, Desk Officer

ANNEXURE

BEFORE HON'BLE SHRI V. N. SHUKLA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(R)(99)/1990

PARTIES:

Employers in relation to the management of Food Corporation of India, Bhopal (M.P.) and their workmen through the General Secretary, F.C.I. Employees Congress, Head Office, I.I.G. 8/8E, Sarita Complex, Near Bus Stop No. 5, Bhopal (M.P.)-462001.

For Workmen—Shri R. K. Biltharia.

For Management—Shri A. A. H. Rizvi,

INDUSTRY : Food Corporation.

DISTRICT : Bhopal (M.P.)

AWARD

Dated: March 6th 1992

This is a reference made by the Central Government, Ministry of Labour, vide its Notification No. L-22012(309)/F/89 IR (Zone II) dated 22-3-1990, for adjudication of the following dispute —

"Whether the transfer Order No. Estt. 3(10)/88 dated 29-6-88, Estt. 3/5188 Genl. dated 13-7-88 and Estt. 3/8/86-Genl. dated 11-8-88 issued by Sr. Regional Manager, Food Corporation of India, Bhopal is justified or not? If not, to what relief the concerned workers are entitled for?"

2. In the instant case, no statement of claim has been filed by the workmen. When the clarification was sought it was said on behalf of the workmen that the letter dated 10-4-1990 be treated as the statement of claim. The substance of the letter is as follows :—

"As the dispute stands referred for adjudication of CGIT, Jabalpur under order mentioned to above, in pursuance of instructions intromitted therein, I beg to file relevant documents as per enclosed list of documents for taking into records and for furtherance of the case please."

3. For want of pleadings the documents cannot be considered. That apart, even the documents have not been proved by the workmen.

4. The management has, however, denied the claim of the workmen and has asserted that the transfer is justified.

5. For want of any pleading or proof it cannot be held whether the transfer Order No. Estt. 3(10)/88 dated 29-6-88, Estt. 3/5188 Genl. dated 13-7-88 and Estt. 3/8/86-Genl. dated 11-8-88 issued by Sr. Regional Manager, F.C.I., Bhopal is not justified. The workmen are, therefore, not entitled to any relief. No order as to costs. The Reference is answered accordingly.

V. N. SHUKLA, Presiding Officer

नई दिल्ली, 24 मार्च, 1992

का. आ. 1104—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूचना में, केन्द्रीय सरकार श्यामसुन्दर कोलियरी, बैकाला ऐरिया आफ

मैमर्स ई. सी. लि. के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारियों के बीच अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, आसनसोल के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 23/3/92 को प्राप्त हुआ था।

[संख्या एल 22012/482/90—आई आर सी-II]

राजा लाल, डेस्क अधिकारी

Nw Delhi, the 24th March, 1992

S.O. 1104.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government, hereby publishes the award of the Central Government Industrial Tribunal Asansol as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Shyamsunderpur Colliery, Bankola Area of M/s. E.C. Ltd of their workmen, which was received by the Central Government on the 23-3-92.

[No. L-22012/482/90-IR (C-II)]

RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL, ASANSOL

Reference No. 25/91

PRESENT:

Shri N. K. Saha, Presiding Officer.

PARTIES:

Employers in relation to the Management of Shyamsunderpur Colliery, Bankola Area of M/s. E.C. Ltd.

AND

Their workman

APPEARANCES:

For the Employers—Sri P. K. Das, Advocate.

For the Workman—Sri Manoj Mukherjee, Advocate.

INDUSTRY : Coal.

STATE : West Bengal.

Dated, the 13th March, 1992

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012(482)/90-JR(C-II) dated the 19th April, 1991.

SCHEDULE

"Whether the action of the management of Shyamsunderpur Colliery of M/s. E.C.L., P.O. Ukra, Dist. Burdwan. in dismissing Sri Surendra Bisai, Wagon Loader, w.e.f. 5-1-82 is justified? If not, to what relief is the concerned workman entitled?"

2. The case of the union in brief is that the concerned workman Sri Surendra Bisai was a permanent wagon loader of Shyamsunderpur Colliery under M/s. Eastern Coalfields Ltd. The said workman took casual leave for three days and went to his native village for some urgent purpose. But he fell seriously ill at his native place and he was under the

treatment of some Quack Doctors. In the meantime some abnormality developed in him. He was subsequently brought by his family members to the Govt. dispensary at Purusattampur. He was under the treatment of Dr. P. C. Panda for a long period. The workman reported for his duty on 12-11-81 when he was declared fit to resume his normal duty. But he was not allowed to join his duty. Instead of allowing him to join his duty the management issued a chargesheet against him on 12-11-81. The workman submitted reply against that chargesheet along with a medical certificate granted by Dr. P. C. Panda. But the management was not satisfied with the explanation given by the workman for his absence. Consequently the management held a domestic enquiry against him and on the result of that domestic enquiry he was dismissed from service w.e.f. 5-1-82 which is shocking and disproportionate with the alleged offence. The domestic enquiry was not properly and fairly held. The principles of natural justice were violated in holding the domestic enquiry.

3. The workman raised a dispute through the union. But the attempts of conciliation failed. The matter was referred to the Ministry of Labour, Govt. of India and ultimately the Ministry of Labour has sent the dispute to this Tribunal for adjudication.

4. The management has filed written objection contending inter-alia that the workman was absent from duty from November '79 without any leave or permission of the competent authority. That was a misconduct according to the Standing Orders. So he was served with a chargesheet dated 12-11-81. He submitted his reply on 18-11-81. But the explanation was not satisfactory. So a domestic enquiry was held observing the principles of natural justice. In that domestic enquiry the concerned workman was found guilty and consequently he was dismissed from service. The punishment is not shocking and disproportionate with the offence committed by the workman.

5. In this case the union challenged the validity and fairness of the domestic enquiry contending that the principles of natural justice were violated in holding the domestic enquiry. But during the hearing of the case on that preliminary point Sri Monoj Mukherjee the learned Lawyer for the union with his usual fairness submitted that the union does not any more challenge the validity and fairness of the domestic enquiry. He has submitted that he has gone through the papers of the domestic enquiry and he is satisfied that the domestic enquiry was properly and fairly held observing the principles of natural justice. I have also gone through the papers of the domestic enquiry. There is no wrong in the domestic enquiry. So it has been held on 18-1-92 by this Tribunal that the domestic enquiry was properly and fairly held observing the principles of natural justice. Thus the preliminary point was answered in favour of the management.

6. Now we are to see whether the punishment awarded in this case is proportionate with the alleged offence. Section 11-A of the Industrial Disputes Act has conferred that power to this Tribunal. In this case we find that the workman was absent without any permission or leave from the competent authority from November '79. He was a permanent wagon leader of Shyamsunderpur Colliery. Sri P. K. Das the learned Advocate for the management has urged with all force that the management has suffered a lot for unauthorised absence of the workman and in a case like the present one if there be any order of reinstatement, then it will be very difficult to run the administration. With due respect to his contention I like to say that the justice must be tempered with mercy. The Hon'ble Supreme Court has held that capital punishment shall be imposed in a rare of the rarest cases. The dismissal from service at the present time is worse than capital punishment. I find that this workman was absent without any leave or authority. The workman has alleged that some abnormality was found in him and for that he was under the treatment of a Doctor for a long period. He is an illiterate man. He could not produce proper evidence in this case. But as a man of ordinary prudence I must hold that surely there was some reason for which the workman could not attend his work. Considering that aspect I find that it is not a case of rare

of the rarest nature. I find that in the instant case the dismissal from service as punishment is shocking and disproportionate.

7. I find in a case like the present one it will meet the ends of justice if the workman be reinstated in service forfeiting the entire back wages.

8. In the result I find that the action of the management in dismissing Sri Surendra Bisai the concerned workman w.e.f. 5-1-82 is not justified. The management shall reinstate him in service without any back wages within three months from the date of publication of the award if he be found medically fit by a Board of Doctors of any Central Government Hospital as it is the case of the union that some abnormality developed to him. The entire back wages shall stand forfeited as punishment.

This is my award.

N. K. SAHA, Presiding Officer.

नई दिल्ली, 24 मार्च, 1992

का. आ. 1105—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार वैस्टर्न कोलफील्ड्स लि० के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मकारों, के बीच अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार 18/3/92 को प्राप्त हुआ हुआ था।

[संख्या एल—22012/20/84—डीV डीIII(बी)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 24th March, 1992

S.O. 1105.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure in the Industrial Disputes between the employers in relation to the management of Western Coalfields Ltd. of their workman, which was received by the Central Government on 18-3-92.

[No. L-22012/20/84 D.V./D.III(B)]

RAJA LAL, Desk Officer

ANNEXURE

BEFORE HON'BLE SHRI V. N. SHUKLA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M.P.)

CASE No. CGIT/LC (Rm) (13)/1987

PARTIES :

Employers in relation to the management of Western Coalfields Limited, Sub-Area Manager, Umrer Project, Umrer, Nagpur (MS) and their workman, Shri Ram Krishan, Dresser, represented through the Secretary, Koyala Shramik Sabha (HSM) Umrer Project, District Nagpur (MS).

APPEARANCES :

Wor Workman.—Shri S. K. Rao, Advocate.

For Management.—Shri R. Menon, Advocate.

INDUSTRY : Coal Mining DISTRICT : Nagpur (M.S.)

AWARD

Dated, the 28th February, 1992

This is a reference made by the Central Government, Ministry of Labour, vide its Notification No. L-22012/20-84-D. V/D.III(B) Dated 29th January, 1987, for adjudication of the following dispute :

"Whether the action of the management of Western Coalfields Ltd., Umrer Project/CIL in placing Shri Ram Krishan, Dresser in Grade 'H' as against Grade 'E' in NCWA-II & III is justified ? If not, to what relief the workman is entitled ?"

2. Facts leading to this case are that the workman was working in Sillewara Project prior to 1981. He was called for interview and was appointed as Dresser in the pay scale of Rs. 404-9-512 and was posted as Dresser at Umrer Project.

3. The workman subsequently joined at Umrer Project on the post of Dresser where he was drawing pay scale of Rs. 460-16-652. Subsequently, Deputy General Manager of the Umrer Project vide Order dated 26-7-1982 informed the workman that he has been wrongly given the said pay scale and ordered recovery of excess payment amounting to Rs. 479.55.

4. The workman says that he was appointed in the pay scale of Rs. 404-9-512 as Dresser in Grade 'H'. Subsequently when he joined at Umrer Project he was given pay scale of Rs. 460-16-652 instead of the pay scale of Rs. 409-9-512 in Grade 'H' as per terms of appointment letter. This pay scale was given because the Dresser's post come in the technical grade 'E' under para medical staff. The scale was also given because the other dressers were working in the Project in Grade 'E'. He continued to work as such but surprisingly the said pay scale was withdrawn and recovery was made. The workman has given a detailed history in the pleading as to how the pay scales changed from time to time which can be considered, if necessary, while appreciating the evidence. He has, however claimed Gr. 'E' in NCWA II & III.

5. Management has denied the alleged claim. According to it, the Dresser is Grade 'H' post. He was given pay scale of Rs. 460-16-652 by mistake which mistake was corrected. He is not entitled to any claim reference be accordingly rejected.

6. The short point involved in this case is that whether the post is Grade 'H' post or Grade 'E' post as per NCWA II and III.

7. The workman has proved 5 documents, Ex. W/1 to Ex. W/5, while the management has proved 7 documents, Ex. M/1 to Ex. M/7. The workman has examined himself as W.W. 1 and the management has examined A. K. Mehta as M.W. 1.

8. Ex. W/1 is the order dated 13/14-8-1981 according to which the workman was appointed after due selection in the interview on the post of Dresser in Grade 'H' at Rs. 404-9-512 pay scale per month and was posted at Umrer Project. Ex. W/2 relates to different pay scales of the staff. It does not disclose either the grade or the pay scale of Dresser, Ex. W/3 is a letter of the management according to which the management detected that the workman is drawing excess of Rs. 56/- per month towards his basic pay i.e. Rs. 460/- per month instead of Rs. 404/- per month since 24-8-1981. Over payment was ordered to be deducted, Ex. W/4 shows the old pay scales of dressers at different places. Ex. W/5 relates to the pay scales of daily rated workers.

9. Ex. M/1 is a photo copy of Ex. W/3, Ex. M/2 is the copy of Ex. W/1, Ex. M/3 is an office order, Ex. M/4 shows the grade as also the pay scales. According to Ex. M/4 the Dresser is in Grade 'H' and his pay scale is Rs. 404-9-512. Other documents are not material. They may, however, be perused.

10. A perusal of Ex. M/6 would disclosed different rates of different categories of persons. In this order dated 3-12-90 (Ex. M/6) dressers or Senior Dressers have been categories as Gr. E. Ex. M/7 also confirm this fact.

11. Now we may peruse the cross-examination of the workman. In cross-examination (Para 20) the workman says that he was promoted as Dresser Gr. H in the year 1981. This is what the documents filed by him show. He was appointed as per Ex. W/1 as Dresser in Gr. 'H' and not in Gr. 'E'. The workman relies on NCWA but as per Para 21 of his cross-examination he expressed his ignorance about the said Wage Board Agreement. He has given instance of one Umakant, but he has not given the designation nor has he produced any documents showing his designation. Umakant is senior to him. I have already pointed out that even Senior Dressers as per Ex. M/4 have not been put in Cat. 'E'. Senior Dressers have been put in Grade 'G'. Thus how the workman would jump into Gr. 'E' is not understandable and obviously he was paid the pay scale of Grade 'E' i.e. 460-16-652 by mistake which has been rectified. The workman cannot take the advantage of the mistake which has been corrected. Thus he is not entitled to the relief as claimed. Reference is accordingly answered as follows :—

The action of the management of Western Coalfields Ltd., Umrer Project/CIL in placing Shri Ram Krishan, Dresser in Grade 'H' as against Grade 'E' in NCWA II & III is justified. He is not entitled to any relief. No order as to costs.

V. N. SHUKLA, Presiding Officer

आदेश

नई दिल्ली 2 अप्रैल, 1992

का. आ. 1106.—जबकि मैसर्स वेस्टर्न कोलफील्ड लि., नागपुर क्षेत्र के प्रबंधन के सम्बन्ध में नियोजकों तथा उसके कर्मकार श्री मुकेश मोर्य भूतपूर्व इन्सपेक्टर, वेस्टर्न कोलफील्ड लि., नागपुर क्षेत्र के बीच एक औद्योगिक विवाद विद्यमान है :

और जबकि उपर्युक्त नियोजक और उनके कर्मकार औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10-क की उपधारा (1) के अन्तर्गत एक लिखित करार द्वारा उक्त विवाद को न्यायनिर्णयन के लिए भेजने पर सहमत है और उपर्युक्त मध्यस्थता करार की एक प्रति केन्द्र सरकार को भेज दी गयी है ; अतः, जब उपर्युक्त अधिनियम की धारा 10 (क) की उपधारा (3) के अनुसरण में केन्द्र सरकार एतद्वारा उक्त करार को प्रकाशित करती है।

करार

(औद्योगिक विवाद अधिनियम, 1947 की धारा 10-क के अन्तर्गत)

पक्षकार

पक्षकारों के नाम : कर्मकार के प्रतिनिधि
नियोजकों / प्रबंधकों के प्रतिनिधि

1. श्री के. के. बक्शी
उप मुख्य आर्थिक प्रबन्धक
वेस्टर्न कोलफील्ड नागपुर
क्षेत्र

2. श्री मुकेश मौर्य
भूतपूर्व कर्मकार

दोनों पक्षकार एतद्वारा निम्नलिखित विवाद को श्री एम जी वानरे, सेवा निवृत्त उप मुख्य श्रम आयुक्त (के.) 62, फ्रेंड्स कालोनी कोटोले रोड, नागपुर के पास न्यायनिर्णयन के लिए भेजने को सहमत हैं।

(i) विवाद के विशिष्ट मामले

क्या वेस्टर्न कोलफील्ड लि., नागपुर के अपने पत्र संख्या सी-5 डब्ल्यू सी एल जी एम, नागपुर सी-5-11061 दिनांक 17-5-90 के अनुसार प्रबन्धन द्वारा, महाप्रबन्धक (एन), नागपुर के कार्यालय में ड्राइवर श्री मुकेश मौर्य को नौकरी से हटाना बरखास्ती न्यायोचित है ?

यदि नहीं तो वह किस अनुसौध/लाभ का हकदार है ;

(ii) विवाद के पक्षकारों का ब्यौरा जिसमें शामिल प्रतिष्ठान या उपक्रम का नाम तथा पता भी शामिल है

महाप्रबन्धक श्री मुकेश मौर्य
वेस्टर्न कोलफील्ड लि., भूतपूर्व ड्राइवर
नागपुर क्षेत्र कस्तूरबा सेना मुख्यालय, नागपुर क्षेत्र
नगर जरीपटका नागपुर-440014 जरीपटका नागपुर-440014
क्षेत्र जरीपटका, नागपुर के मामले में मध्यस्थ होने के लिए अपनी सहमति देता है।

हस्ताक्षर

एम जी वानरे,

[फा. सं. एल-22025/1/92 आई (आर सी II)]

राजा लाल, डेस्क अधिकारी

ORDER

New Delhi, the 2nd April, 1992

S.O. 1106.—Whereas an industrial dispute exists between the employers in relation to the management of M/s. Western Coalfields Ltd., Nagpur Area, and their workman Shri Mukesh Maurya, Ex-Driver, Western Coalfields Limited, Nagpur Area.

AND WHEREAS, the said employers and their workman have by a written agreement under sub-section (1) of Section 10A of the I.D. Act, 1947 (14 of 1947), agreed to refer the said dispute to arbitration and have forwarded to the Central Government a copy of the said arbitration agreement;

NOW, THEREFORE, in pursuance of sub-Section (3) of Section 10-A of the said Act, the Central Government hereby publishes said agreement.

AGREEMENT

(Under Section 10-A of the Industrial Disputes Act, 1947)

BETWEEN

Name of the Parties:—

Representing Employer/ Management	Representing Workman
1. Shri K.K. Bakshi, Dy. Chief Personnel Manager W.C. Ltd., Nagpur Area.	1. Shri P.K. Dass Representing Ex. Workman 2. Shri Mukesh Mourya Ex-Workman.

It is hereby agreed between the parties to refer the following dispute to the Arbitration of Shri M.G. Wanare, Dy. Chief Labour Commissioner(C), (Retd.), 62, Friends Colony, Katol Road, Nagpur.

(i) Specific matter in dispute:

"Whether the termination/dismissal of Shri Mukesh Maurya Driver of the office of GM(N), Nagpur, by the management of Western Coalfields Ltd., Nagpur, vide their letter No. C-5 : WCL : GM : NGP : C-5-11061 dated 17-5-90 is justified ? If not, what relief he is entitled to?"

(ii) Details of the parties to the dispute including the name & address of the establishment of undertaking involved:

General Manager, Western Coalfields Ltd. Nagpur, Area, Kasturba Nagar, Jaripatka, Nagpur-440 014.	Shri Mukesh Maurya Ex-Driver AHQ, Nagpur Area, -VS- W.C. Ltd., Jaripatka, Nagpur-440014.
--	--

(iii) Name of the workman in case he himself involved in the dispute or the name of the union, if any, representing the workman or workmen in question:

Shri Mukesh Maurya Ex. Driver, AHQ., W.C. Ltd., Nagpur Area (the workman)	Shri P.K. Dass Workers representative.
--	---

(iv) Total No. of workman employed in the undertaking affected

One

(v) Estimated number of workman affected or likely to be affected by the dispute

One only

We further agree that the decision of the arbitrator be binding on us.

The Arbitrator shall make his award within a period of three months or within such further time as is extended by mutual agreement between us in writing. In case the award is not made within the period aforementioned, the reference to Arbitrator shall stand automatically cancelled and we shall be free to negotiate for fresh arbitration..

SIGNATURE OF THE PARTIES

(sd/-)
(K.K. Bakshi)
Dy. Chif Personnel Mgr.
W.C. Ltd., Nagpur Area.

1. (Sd/-)
Mukesh Maurya
Parbati Nagar
Old Post Office
Ajni, Nagpur-440 027.

2. (Sd/-)
P.K. Das
Om Sai Kirpa Building
Sori Galli,
Sita Burdi, Nagpur.

WITNESSES:

2. (Sd/-)
(O.P. Mehta)
Dy. Personnel Manager,
W.C. Ltd., Nagpur, Area,
Jaripatka, Nagpur.

2. (Sd/-)
A.P. Bagri
Sr. Personnel Officer
W.C. Ltd., Nagpur Area
Jaripatka, Nagpur

CONSENT OF THE ARBITRATOR

I, Shri M.G. Wanare, Ex. Dy. Chief Labour Commissioner (Retd.), Nagpur, hereby give my consent to become an Arbitrator in the case of Shri Mukesh Maurya, Ex-Driver of W.C. Ltd., Nagpur Area, Jaripatka, Nagpur.

(Sd/-)

(M.G. Wanare)

[No. L-22025/1/92-IR (C-II)]

RAJA LAL, Desk Officer

नई दिल्ली, 26 मार्च, 1992

का.आ. 1107 :--औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेन्ट्रल मेरीन फिशरीज रिसर्च इन्स्टीट्यूट के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण ऐलप्पी के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-3-92 को प्राप्त हुआ था।

[एल-42012/69/88-डी-2 बी]

के.बी.बी. उण्णी, डेस्क अधिकारी

New Delhi, the 26th March, 1992

S.O. 1107.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Alleppey as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Central Marine Fisheries Research Institute and their workmen, which was received by the Central Government on 25-3-92.

[No. L-42012/69/88-D.II(B)]

K.V.B. UNNY, Desk Officer

ANNEXURE

IN THE COURT OF THE INDUSTRIAL TRIBUNAL, ALLEPPEY

(Dated this the 8th day of July, 1991)

PRESENT :

Shri K. Kanakachandran, Industrial Tribunal.

I.D. No. 191/89

BETWEEN

The Director Central Marine Fisheries Research Institute, E.R.G. Road, P.B. No. 2704, Ernakulam, Cochin-682031.

AND

The workman of the above concern Shri M. Radhakrishnan, Unniytil House, Chittoor Road, Near YMCA, Cochin.

REPRESENTATIONS :

For Workman—Sri A. V. Xavier, Advocate, Cochin.

For Management—Central Government Standing Counsel.

AWARD

1. This dispute has been referred by the Government of India under Sec. 10(1)(d) read with sub-section (2A) of the Industrial Disputes Act. The reference order dated 5-12-1989 read as follows:—

"Whether the action of the management of Central Marine Fisheries Research Institute, Cochin, in terminating the services of Sri M. Radhakrishnan, Casual Labourer with effect from 4-3-1983, is legal and justified? If not, to what relief the workman is entitled?"

2. Both sides entered appearance and filed their respective statements. In the claim statement filed by the workman it is stated that he had started services under the management on 24-9-1981 as a casual worker on daily wages. Although he was designated as a casual labourer, he was practically doing regular works continuously. While so, on 4-3-1983, he was told by the Administrative Officer of the management establishment that he need not attend work thereafter. Thus his services were effectively terminated without assigning any reason or even issuing any notice. According to him, when such a termination was effected, there was the requirement of labourers in management headquarters, its Annex. Stores and in Pelagic Fisheries laboratory. Although he made representation for employing him; but that was of no use. At the time when his services were terminated, he was earning daily wages at the rate of Rs. 13. Since the management did not show any response, he filed writ petition before the High Court of Kerala. By judgment in O.P. No. 8857/83, the High Court of Kerala directed the management to dispose of the representations submitted by him regarding his re-employment. On the basis of the judgment, the management considered his representation and expressed their inability to help him in the matter of re-employment. Later, challenging that order, the workman again approached the High Court by filing O.P. No. 244/84. By a judgment dated 14-2-1986 the High Court set aside the order of the management and remanded the matter for fresh consideration on the following question.

- (1) Whether the petitioner was a workman during the period between 1981 and 1983?
- (2) Whether he had rendered 240 days continuous service within the meaning of Section 25B of the Act?
- (3) If he had rendered such service, was he properly discharged when he was denied of employment on 4-3-1983 with notice and with payment of retrenchment compensation?

(4) When otherwise, was he entitled to preference to vacancies which arose after 4-3-1983.

3. It is alleged in the claim statement that despite specific directive of the High Court no proper reply was given by the management. The management took up the stand that since there was no vacancy to continue him in the employment, his plea for re-employment could not be entertained. The workman alleges that after terminating his service, employment was given to two workmen viz. James and Celino as casual labourers.

4. In the counter statement filed by the employer management, the stand taken is that since the workman was only a casual labourer on daily wages, there was no obligation on their part to give him continuous employment. Whenever casual work was available, the management had given him work and only because no work was available, he could not be employed. Regarding his completion of 240 days of service in an year, it is the stand of the management that in any of the years, the workman had worked for 240 days. Since he had not completed 240 days of service before his non-employment, it was not obligatory on their part to give him notice or compensation. Regarding the Writ petitions filed in the High Court and the judgment thereon it is stated that in full compliance of the judgment all matters directed to be considered were considered by the management and a proper reply was given to him. On receipt of that reply, the workman filed a miscellaneous petition again before the High Court praying for a positive direction for giving him employment. But that plea was disallowed. On the claim on continuous service, the employer management has stated that since the workman was engaged purely as a casual labourer, he could not be considered as a person in service so as to attract Sec. 25-B of Chapter V-A of the Industrial Disputes Act. Since he had not put in 240 days in any particular year, the provision contained in Sec. 25-F of the I.D. Act is of no application. Since he does not have continuous service as required, he is not entitled for any kind of compensation also. Even if there is vacancy in the regular post, that can be filled up only with candidates sponsored by the Employment Exchange in terms of the Employment Exchange (Compulsory Notification of Vacancies) Act, 1959. Moreover his absorption in regular establishment cannot be considered in view of the various Government Orders and Rules.

5. In the counter statement, the employer management had extracted the number of days worked by the workman in various months respectively in 1981, 1982 and 1983. The alleged termination is on 4-3-1983. As per the details given in the counter statement, in the immediately preceding 12 months, the workman had rendered service for more than 240 days. It is not necessary that for the entitlement of benefits as provided under the I.D. Act, a workman should have worked for 240 days in a calendar year. It is only sufficient that he must have worked a minimum of 240 days during a period of 12 months immediately preceding the retrenchment. In so far as the workman herein is concerned admittedly he had more than 240 days of service during the period of 12 months immediately preceding the date of alleged termination.

6. While tendering evidence before this Tribunal, the workman has stated that in view of the admitted fact that he had rendered more than 240 days of continuous service at the time of his termination, the management could have effected his termination only in compliance of Sec. 25-F of the I.D. Act. Since it is done otherwise, it will be only illegal. Now about 8 years passed after his termination.

7. It is the settled position that the services of a person who is satisfying the definition of 'workman' under the Industrial Disputes Act could be terminated only in strict conformity with the provisions contained in Sec. 25-F of the I.D. Act. That is mandatory also. If termination is effected otherwise, the workman concerned will be entitled for reinstatement and also for full backwages till he is validly terminated. If that principle is adopted in this case and an award is passed on merit, a substantial amount has

to be paid to the workman as back wages. Possibly considering that aspect and also in his anxiety to get an employment somehow, the workman has stated while tendering evidence before this Tribunal that he is prepared even to forgo the entire backwages if the management is willing to employ him as a last grade servant.

8. If I am deciding this dispute on the basis of certain admitted facts, only recourse would be to declare the termination as illegal and to order reinstatement with the benefit of full backwages to the workman. That is because the counter statement reveals that the workman had to his credit 240 days of service during the period of one year immediately preceding his termination. Since he has deposed that he is prepared to forgo the entire backwages if he is provided with the employment of a last grade servant under the management, it is unnecessary to give any pronouncement on merit of the issue.

9. There is no controversy on the qualification and age of the workman for being appointed as a last grade servant under the employer herein. Therefore it is only appropriate for the management herein to consider his case sympathetically for giving him employment if vacancy is available in any of their offices. Rigour if any, in the recruitment procedure in the matter of appointment of last grade servant can be even diluted for giving regular appointment to him considering long continuous service right from 1981. If this dispute is decided on merit with reference to statutory provisions, it has to be declared that he would deem to be in service right from 4-3-1983 onwards. This consequence is an important aspect which has to be considered by the employer while considering the question of giving regular appointment to him. The clear expression of the workman even to forgo the past service and backwages are the added advantage for the management to consider the question of giving regular employment with prospective effect. In addition to all these, there is no evidence that during the period in which the workman was working, there was any occasion for raising of bad remarks against him by any of the Superior Officials of the management. Therefore on the point of his conduct also there cannot be any disagreement to the employer. Therefore I am of the view that the management can even think about dispensing with the prescription of probation while giving regular employment to him. In any case if it is found giving of regular employment to the workman as an impossibility, the management herein shall pay to him full backwages for the entire period i.e. from 4-3-1983 to the date of a valid retrenchment.

An award is passed on the above terms.

K. KANAKACHANDRAN, Industrial Tribunal,

APPENDIX

(I.D. 191/89)

Witness examined on the side of the Workman :

WW1—M. Radhakrishnan.

Witness examined on the side of the Management :

Nil

Exhibits marked on the side of the Workman:

Nil

Exhibits marked on the side of the Management:

M1—Photocopy of letter dated 7-4-1986 to Sri M. Radhakrishnan.

Sd/-

K. KANAKACHANDRAN, Industrial Tribunal.

नई दिल्ली, 27 मार्च, 1992

का.आ. 1108 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भाखड़ा मैकेनिकल डिवाइजन, नांगल के प्रबन्धतंत्र से संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चंडीगढ़ के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-3-92 को प्राप्त हुआ था।

[एल-42012/153/90-आई.आर. (डी.यू.)]

के.वी.बी. उण्णी, डेस्क अधिकारी

New Delhi, the 27th March, 1992

S.O. 1108.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Chandigarh as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Bhakra Mechanical Division Nangal and their workmen, which was received by the Central Government on 26-3-92.

[No. 1-42012/153/90-IR(DU)(Pt.)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SHRI ARVIND KUMAR, PRESIDING OFFICER,
CENTRAL GOVT., INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT, CHANDIGARH

Case No. I.D. 26/91

Baikishan Vs. BBMB

For the workmen—Shri R. K. Singh.

For the management—Shri C. Lal.

AWARD

Central Govt. vide gazette notification No. L-42012/153/90-I.R.(D.U.) dated 18th February 1991 issued U/S10(1)(d) of the I.D. Act 1947, referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Executive Engineer, Bhakra Mech Division, Nangal in terminating the services of Shri Bal Kishan son of Shri Pyare Lal w.e.f. 31-7-89 is justified ? If not, what relief the workman is entitled and from what date ?"

2. The petitioner has raised this industrial dispute through his authorised representative Mr. R. K. Singh. However Mr. R. K. Singh has made statement today that the workman is not interested to pursue with the present reference and it may be returned to the Ministry.

In view of the statement made by the rep. of the workman the present reference is returned to the Ministry.

Chandigarh.

ARVIND KUMAR, Presiding Officer

नई दिल्ली, 27 मार्च, 1992

का.आ. 1109 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार उत्तर रेलवे के प्रबन्धतंत्र से संबद्ध नियोजकों और

उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण चंडीगढ़ के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-3-92 को प्राप्त हुआ था।

[एल-41012/50/87-डी-2 बी]

(के.वी.बी. उण्णी, डेस्क अधिकारी)

New Delhi, the 27th March, 1992

S.O. 1109.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Chandigarh as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Northern Rly and their workmen, which was received by the Central Government on 26-3-92.

[No. L-41012/50/87-DII(B)(Pt.)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SHRI ARVIND KUMAR, PRESIDING OFFICER,
CENTRAL GOVT., INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT, CHANDIGARH

Case No. I.D. 33/89

Jagdish Narayan—Vs—Northern Railway.

For the workman—None.

For the management—Shri N. K. Zakhmi.

AWARD

Central Govt. vide gazette notification No. L-41012/50/87-D-II(B) dated 1st February 1989 issued U/S10(1)(d) of the I.D. Act 1947, referred the following dispute to this Tribunal for decision :

"Whether the action of management of Northern Rly in changing the designation of Jagdish Narain Shram Teleprinter Operator to Inquiry and reservation clerk is justified. If not to what relief the workman concerned is entitled and from what date?"

2. In the present reference case called many time. But none appeared on behalf of the workman. The present reference is dismissed in default, and returned to the Ministry.

Chandigarh.

17-2-1992.

ARVIND KUMAR, Presiding Officer

नई दिल्ली, 27 मार्च, 1992

का.आ. 1110 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नेशनल डेरी रिमर्च इन्स्टीट्यूट, करनाल के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चंडीगढ़ के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-3-92 को प्राप्त हुआ था।

[एल-42012/159/87-डी-2 (बी)]

(के.वी.बी. उण्णी, डेस्क अधिकारी)

New Delhi, the 27th March, 1992

S.O. 1110.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Chandigarh, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of National Dairy Research Institute Karnal and their workmen, which was received by the Central Government on 26-3-92.

[No. L-42012/159/87-D.II(B)(PL)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SHRI ARVIND KUMAR, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, CHANDIGARH

I.D. No. 72/88

Workman Ram Nath Vs. National Dairy Research Institute.

For the workman.—Shri K. L. Arora.

For the management.—Shri D. S. Virk.

AWARD :

Central Government vide gazettee notification No. 42012/159/87-D.II(B) dated 13-10-1988 issued U/S 10(1)(d) of the I.D. Act 1947 referred the following dispute to this Tribunal for adjudication :

“Whether the management of National Dairy Research Institute, Karnal is justified for reinstating Shri Ram Nath S/o Shri Mela Ram in terms of settlement reported to have been arrived before the A.L.C.(C) between the management and workman on 19-10-84 ? If not what relief the workman is entitled to and from what date ?”

2. In the Statement of claim by way of demand notice it has been pleaded by the workman that he was appointed as sub. attendant in N.D.R.I. on 2-2-81. He had just completed 230 days when his services were terminated on 14-10-81 without complying the provisions of section 25-F of I.D. Act 1947. Thereafter he raised Industrial Dispute and management had offered him appointment for three months on 22-3-82. Thereafter his services were again terminated on 5-8-82 and again he raised Industrial Dispute and a settlement was arrived in conciliation proceedings and he was reappointed with continuity of service. It was further pleaded that the management against terminated his services on 7-4-84 and he again raised Industrial Dispute and in conciliation proceedings a settlement was arrived between the workman and the management on 19-10-84 on the following terms. That the workman Sh. Ram Nath shall be reinstated with continuity of service without payment of wages for the period of his unemployment within 15 days from the date of settlement of Eastern Regional Station of NDRI, Kalyani (W. Bengal). (2) That the workman shall be paid 2nd class railway fare from Karnal to Kalyani for self and his family consisting of wife and two children. He shall be paid the railway fare on 26-10-84. (3) That Sh. Ram Nath shall be given orders for posting at ERS of NDRI, Kalyani on 26-10-84. (4) As regards any doubt about interpretation of any terms of the settlement, the decision of the Asstt. Labour Commissioner (Central Rohtak) shall be final. (5) The Institute agrees to report the implementation of the terms of the settlement by 2-11-84.

The petitioner further alleged that the management was never interested in implementing the settlement and they were also not paid second class Rly. fare nor issued any posting order. It was further pleaded that the Assistant Labour Commissioner (C) vide letter dated 7-11-1984 again directed the management to issue posting orders and for giving 1st Class Rly. fare in terms of settlement dated 19-10-1984. He had been contacting the management and the management vide letter dated 26-11-1984 asked him to inform the date of birth of his two children for the purpose of paying second class Rly. fare from Karnal to Kalyani. However, he had informed the management on 6-12-1984

that he would alone interested to go to Kalyani. It was further alleged that management was playing lude and seek policy and he never received letter dated 18-12-1984 and 1-1-1985. It was further alleged that no posting orders had been issued on 26-10-1984 as per requirement of the terms of settlement dated 19-10-1984. It was further alleged that he intimated the management on 14-2-1985 that he is not in the position to leave his wife and children and thereafter the management on 27-2-1985 had asked the medical certificate in support of illness of his wife for which he submitted on 5-3-1985. It was further alleged that apart from settlement dated 19-10-1984 the management also violated the order of A.L.C.(C) dated 7-11-1984. It was further alleged that he made representation and got personal hearing before Deputy Director I.C.A.R. who vide letter dated 30-4-1985 asked the management to give the petitioner the job and vide letter dated 21-5-1985 asked the management to consider his case for re-instatement in service favourably. It was alleged that the management had not taken any action. It was prayed that the order of termination dated 7-4-1984 be declared null and void and he be reinstated with back wages and continuity of service.

3. The claim of the petitioner was contested and written statement was filed. Respdnt. management had taken up the plea that initially the petitioner was appointed as unskilled worker on 2-2-1981 and his services were of purely casual nature and the same was not more required w.e.f. 1-10-1981. Again the petitioner was offered daily paid job on 22-3-1982 for three months and his services were terminated on 6-8-1982 as he was not a fit person to be retained in service. It was admitted that his services were again terminated on 7-4-1984 but the same was done on a complaint and after holding proper inquiry. It was denied that the management was never interested in implementing the settlement and the plea was taken that on 23-10-1984 the workman was asked to submit the date of birth, ages of his two children by 25-10-1984 so that second class Rly. fare can be paid to him by 26-10-1984. However, instead of giving the date of birth he sent a letter to A.L.C.(C) for the non-acceptance of the so called settlement dated 19-10-1984. Thus the petitioner himself had violated the terms and conditions of the settlement although the management was ready to implement the settlement. It was further pleaded that the petitioner was intimated on 18-12-1984 and 1-1-1985 under registered cover to receive Rly. fare and further on 24-1-85 one more chance was given to him to receive Rly. fare. Further the stand was taken that the posting orders were issued on 18-12-1984 which was sent to the workman under the registered cover and the workman was himself not willing to go to Kalyani. Further the stand was taken that instead of going to Kalyani the petitioner filed a suit for declaration alongwith an application for interim stay which was dismissed. The management for their took the stand that on receipt of the letter from the A.L.C.(C) Rohtak dated 7-11-1984 the petitioner was again directed on 26-11-1984 to submit the date of birth and age of his two children but the same was not submitted. Further the plea was taken that the management was willing to implement the settlement, however, the petitioner himself adopted the dilatory tactics and had been dischonest to the management otherwise he would not have challenged the same vide civil suit dated 20-11-1984 accompanied by an application for interim injunction. Since the petitioner violates the settlement dated 19-10-1984 intentionally he is stopped from claiming back wages by his own act and conduct.

4. Replication was also filed reiterating the claim made in the claim petition.

5. In support of his case the petitioner filed his affidavit Ex. W1 and also tendered in evidence documents Ex. W2 to Ex. W20 and produced himself as WW1. In cross-examination he admitted the agreement. He has also admitted that till today he has not joined at Kalyani. He also admitted that NDRI authorities had asked him to furnish the date of birth of his two children. He also admitted that due to family circumstances he was not in a position to go to Kalyani as his wife was ill and he submitted medical certificate to NDRI authorities.

Respondent management also produced Shri Jitender Nath Dhawan Asstt. Admn. Officer NDRI Karnal who filed his affidavit Ex. M1 and produced himself as MW1 and relied

on documents Ex. M2/1 to 11 which are postal receipts. In cross-examination he has admitted that as per settlement the workman was to be given Hind Class Rly. fare as well as posting orders prior to 26-10-1984 and the compliance report to be given to A.L.C.(C) prior to 2-11-1984. He has also admitted that no posting order were given to the workman prior to 26-10-1984 and has stated that the same were not given as the case was pending at Rohtak. He also admitted that Hind Class Rly fare was also not given to him prior to 26-10-1984 and also compliance report was not sent to A.L.C.(C) till 2-11-1984.

6. I have heard both the parties and gone through the documents and record. Counsel appearing on behalf of the workman has strongly argued that the settlement dated 19-10-1984 (Ex. W-4) was at first instance was not complied with the respdt. management by not issuing posting orders by 26-10-1984 and the Rly fare and not sending the implementation report to the A.L.C.(C) Rohtak by 2-11-1984. On the contrary counsel appearing on behalf of the management argued that it is the petitioner who has violated the terms of the settlement dated 19-10-1984 as he himself sent a letter to the A.L.C.(C) as well as to the respdt. management on 27-10-1984 for non-acceptance of the settlement dated 19-10-1984. After pursuing the record and the documents the contentions raised by the respdt. management are not acceptable. The main bone of contention is the terms of settlement dated 19-10-1984. The terms are reproduced as under:

- “(1) That the workman Shri Ram Nath shall be reinstated with continuity of service without payment of wages for the period of his unemployment within 15 days from the date of settlement at Eastern Regional Station of NDRI, Kalyani (W. Bengal).
- (2) That the workman shall be paid 2nd class Rly. fare from Farnal to Kalyani for self and his family consisting of wife and two children. He shall be paid the Rly. fare on 26-10-1984.
- (3) That Shri Ram Nath shall be given orders for posting at FRS of NDRI, Kalyani on 26-10-1984.
- (4) as regards any doubt interpretation of any terms of the settlement, the decision of the Asstt. Labour Commissioner (Central) Rohtak shall be final.
- (5) The institute agrees to report the implementation of the terms of the settlement by 2-11-1984.”

After pursuing the settlement it has become apparent that the respondent management shall reinstate the petitioner within 15 days and be given the order of posting on 26-10-1984 and also Hind class Rly. fare from Farnal to Kalyani for himself and his family members on 26-10-1984. But however, as apparent in the stand taken in the written statement in which it has clearly mentioned that posting orders were issued on 18-12-1984 which was sent to the workman under registered cover which means that no posting orders were served to the petitioner on 26-10-1984 as required under the terms of settlement Ex. W-4 and also as apparent from the evidence of Shri Jitender Nath Dhawan MW1 appearing on behalf of the management. In cross examination he admitted that no posting orders were given to the workman prior to 26-10-1984. Neither Hind class Rly. fare was given to the workman prior to 26-10-1984 and the compliance report of the settlement was also not sent to the A.L.C. (C) till 2-11-1984. Therefore, it is the respdt. management who had at the first instance had violated the terms of settlement dated 19-10-1984. The plea of the respdt. management that the petitioner was not interested for the implementation of the settlement and has relied on letter of the petitioner addressed to the A.L.C.(C) Rohtak dated 27-10-1984. It is of no help to the respdt. management for two reasons. First of all this letter has not been exhibited alongwith the other documents by the respdt. management and that thus no opportunity was available to the petitioner to rebut the same and therefore, are not be looked into. Secondly this letter dated 27-10-1984 but the management had already been violated the terms of settlement prior to this while not issuing posting order on 26-10-1984. Further the counsel for the respdt. management has referred to letter dated 23-10-1984, the

same was also not exhibited and can not be looked into and however, the letter does not help to the respdt. management. Since the office order regarding posting of the petitioner to Kalyani was only passed on 18-12-1984 which is in utter violation of the terms and Settlement dated 19-10-1984 Ex. W-4 and this plea of the respondent management can not be accepted. The settlement in conciliation proceedings have binding effect on all the parties. Therefore, the management is directed to comply the terms contained in the settlement dated 19-10-1984 (Ex. W4) within three months from today.

7. Counsel for the petitioner has contended that some back wages should be paid to the petitioner since the petitioner had been turned out of employment and on account of negligence of the management for not implementing the settlement dated 19-10-1984. The petitioner in all fairness made statement today that he restricts his claim for back wages from the date of reference if the respondent management given him reinstatement in terms of Settlement dated 19-10-1984 Ex. W4.

8. Therefore, as discussed above, the petitioner is entitled full back wages from the date of reference only i.e. 13-10-1987.

Candigarh.

ARVIND KUMAR, Presiding Officer.

नई दिल्ली, 30 मार्च, 1992

का.ग्रा.1111 : —कर्मचारी राज्य बीमा अधिनियम 1948 (1948 का 34) की धारा-1 की उपधारा (3) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा 16-4-92 को उस तारीख के रूप में नियम करती है, जिसको उक्त अधिनियम के अध्याय-4 धारा-44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है (और अध्याय-5 और 6 धारा-76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है (के उपबन्ध कर्नाटक राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात् :—

“जिला बंगलूर शहर में बंगलूर नगर पालिका सीमाओं के अन्तर्गत आने वाले क्षेत्र, उन क्षेत्रों के अतिरिक्त जहाँ उक्त प्रावधान पहले ही प्रवृत्त किये जा चुके हैं।

[संख्या-एस-3801/5/92-एस.एस.-1]

जे.पी. शुक्ला, अवर सचिव

New Delhi, the 30th March, 1992

S.O. 1111.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 16th April, 1992 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of section 11) of section 76, 77, 78 and 81 which have already been brought into force of the said Act shall come into force. In the following areas to the State of Karnataka, namely :—

The areas comprising of municipal limits of Bangalore in the District Bangalore Urban, in addition to the areas in which the said provision of the Act have already been brought into force."

[No. S-38013/5/92-SSI.]

J. P. SHUKLA, Under Secy.

नई दिल्ली, 1 अप्रैल, 1992

का.ग्रा.1112:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, सिंडिकेट बैंक के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, मद्रास के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-3-92 को प्राप्त हुआ था।

[संख्या एल-12012/593/1/86-डी-2 (ए)]

वी.के. वेणुगोपालन, डेस्क अधिकारी

New Delhi, the 1st April, 1992

S.O. 1112.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Industrial Tribunal, Madras, as shown in the Annexure in the Industrial dispute between the employers in relation to the Management of Syndicate Bank and their workmen, which was received by the Central Government on the 25-3-1992.

[No. L-12012/593/1/86-D.II (A)]

V. K. VENUGOPALAN, Desk Officer.

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL, TAMIL NADU
MADRAS

Monday, the 9th day of March, 1992.

PRESENT :

THIRU M. GOPALASWAMY, B.Sc. B.L.

Industrial Tribunal.

INDUSTRIAL DISPUTE NO: 132 of 1987

(In the matter of the dispute for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 between the workman and the management of Syndicate Bank, Madras.)

BETWEEN

Thirumathi A. S. Nirmala, 527/1, I.C.F. South Colony,
Madras-600038.

AND

The Manager, Syndicate Bank, Mount Road, Madras.

REFERENCE :

Order No. L-12012/593/1/86-D.II(A), dated 3-12-1987 of the Ministry of Labour, Government of India, New Delhi.

This dispute after restoration coming on this day for final disposal in the presence of Thiru T. S. Gopalan, Advocate appearing for the Management, upon perusing the reference, claim and counter statements and other connected papers on record and the workman being absent, this Tribunal passed the following award.

AWARD

This dispute between the workman and the management of Syndicate Bank, Madras arises out of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947 by the Government of India in its Order No. L-12012/593/1/86-D.II(A), dated 3-12-1987 of the Ministry of Labour for adjudication of the following issue.

"Whether the action of the management of Syndicate Bank, Madras in dismissing from service Smt. A. S. Nirmala, with effect from 15-12-83 is justified? If not, to what relief is the workman entitled?"

(2) Parties were served with summons.

(3) Petitioner Thirumathi A. S. Nirmala filed claim statement on 1-3-1988 putting forth her case. In repudiation thereof the Management filed their counter statement on 8-8-1988.

(4) As the Petition was absent in spite of several chances given to her, this Tribunal has passed an award on 15-3-1990 dismissing this dispute for default.

(5) Against the award of this Tribunal, the Petitioner-worker has filed an application on 3-4-1990 praying to set aside the award dated 15-3-1990. This dispute was restored to file as per order of this Tribunal in Miscellaneous Application No. 35 of 1990, dated 8-11-1990.

(6) After several adjournments, when the dispute was taken up for enquiry today, again Petitioner and her counsel were absent. No representation was made on her behalf.

(7) Hence, Industrial Dispute is dismissed for default.

Dated, this 9th day of March, 1992.

(Sd) M. GOPALASWAMY, Industrial Tribunal.

नई दिल्ली, 1 अप्रैल, 1992

का.ग्रा.1113:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, भारतीय जीवन बीमा निगम के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कलकत्ता के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-3-92 को प्राप्त हुआ था।

[संख्या एल-17012/5/86-डी-4 (ए)]

वी.के. वेणुगोपालन, डेस्क अधिकारी

New Delhi, the 1st April, 1992

S.O. 1113.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Industrial Tribunal, Calcutta as shown in the Annexure in the Industrial dispute between the employers in relation to the Management of Life Insurance Corporation of India and their workmen, which was received by the Central Government on the 25-3-92.

[No. L-17012/5/86-D.IV (A)]

V. K. VENUGOPALAN, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
AT CALCUTTA

Reference No. 32 of 1988

PARTIES :

Employers in relation to the management of Life Insurance Corporation of India, Calcutta.

AND

Their Workmen

PRESENT :

Mr. Justice Manash Nath Roy,

Presiding Officer.

APPEARANCE :

On behalf of management.—Mr. H. Shil, Law Officer of the Corporation.

On behalf of Workmen.—Mr. M. S. Dutta, Advocate.

STATE : West Bengal.

INDUSTRY : Insurance.

AWARD

By an order of Reference No. 1-17012/5/86-D.IV(A) dated April 16, 1987, made in exercise of the powers conferred by clause (d) of Sub-section (1) and sub-section (2A) of the Industrial Disputes Act, 1947 (hereinafter referred to as the said Act), the appropriate government, referred the following dispute to this Tribunal :—

“Whether the action of the management of Life Insurance Corporation of India, Zonal Office, Calcutta in not accepting the date of birth of Shri Hare Kristo Das, Sepay, Life Insurance Corporation of India, Unit, Hindustan and Overseas Group, Calcutta, recorded in his horoscope as well as in his Life Insurance Policies as 16-3-1929 and retiring him by taking his date of birth as 1-6-1926 is justified? If not, to what relief the workman is entitled?”, for adjudication.

2. On completion of the service of notices, parties entered appearance and filed their pleadings and at the hearing, they also tendered, both oral and documentary evidence.

3. The written statement, for and on behalf of Shri Hare Kristo Das (hereinafter referred to as the said workman), was filed on June 29, 1988, by Shri Sibdas Sanyal, General Secretary of the Life Insurance Corporation Employees Association, Calcutta and it was indicated that the said Life Insurance Corporation of India (hereinafter referred to as the said Corporation), was formed in 1956, in terms of Life Insurance Corporation Act 1956 (hereinafter referred to as the said LIC Act) and as a result of such enactment and formation of the said Corporation, all the Life Insurance business in India, including that of Private and Foreign Companies, vested in them and all these Insurance Companies, including Pearl Assurance Company Limited, had merged in that Corporation.

4. It was stated that the business and control of the said Pearl Assurance Co. Ltd., being vested in the said Corporation, by virtue of the operation of law and in terms of the said LIC Act, all the employees of them, including the said workman, became the employee of the said Corporation, with continuity of service as well as with the terms and conditions of service as available, including their date of birth, on the basis of which, they were appointed and eventually confirmed.

5. It was indicated that the said workman was appointed on June 1, 1946, as a peon/office boy, by the Pearl Assurance Co. Ltd. and his date of birth was recorded there as March 16, 1929. It has been stated that after Nationalisation, the said Corporation, by a letter of September 26,

1958 (Ext. W-4), asked the said workman for the first time, to produce evidence in proof of his age for verification, recording in the office records on receipt of that letter, the said workman submitted his original horoscope, written in Oriya, in the office of the Unit, Pearl Assurance Co. Ltd., showing therein, the date of birth as March 16, 1929. The said horoscope was stated to have been prepared soon after the birth of the said workman, at the instance of his parents. In this proceeding, the said Horoscope in original was produced as Ext. W-10 and the English translation of the same was filed by the Learned Advocate of the said workman, on September 2, 1991.

6. It has been stated that the Divisional Manager of the said Corporation, by a letter of December 16/17, 1958 (Ext. W-12), written in connection with Policy No. 9086101, as taken by the said workman, stated inter alia that the age proof certificate of Pearl Assurance Co. Ltd. in respect of that Policy, was received by them and the same was found to be in order. It has of course been alleged, that unfortunately, it was revealed afterwards, that the date of birth of the said workman has been recorded in that Policy as April 2, 1928. On behalf of the said workman, reference has been made to Annexure 'B' of the Written statement, to establish such wrong recording, inadvertently made. But on reference to that annexure, such statement cannot be said to have been proved and justified. In fact, there is no indication about the recording of the date of birth inadvertently made, as alleged.

7. The said workman, submitted another proposal for Life Insurance Policy, being proposal number 124-125 (staff scheme) in 1974 and has alleged that by a letter of June 11, 1974, his age was stated to have been admitted in his previous policy, such date of birth having been recorded as April 2, 1928, even though, in his service records such date was recorded as March 16, 1929 and accordingly, he was informed that such discrepancies, required reconciliation. In reply, on July 30, 1974, the said workman has stated to have informed the Senior Divisional Manager concerned that since his date of birth, stated verified and admitted as March 16, 1929, any other recording, if available, should be ignored and accordingly, necessary corrections in the records, should be made/incorporated. It has also been alleged that the said officer, on hearing him, corrected the date of birth as mentioned in the above mentioned Policy (staff scheme) and converted the same to a policy bearing Number 113123 and issued the first Premium Receipt on November 8, 1974 (Ext. W-8) recording his date of birth as March 16, 1929 i.e. correcting the age from 46 to 45 years, and in that receipt, a Rubber Stamp, stating “Age Admitted”, was also affixed.

8. Thereafter, the Assistant Divisional Manager of the said Corporation IHO Unit, by letter dated March 4, 1976, indicated that the said workman was asked to submit his school leaving certificate by the letter of May 20, 1975, for verification of his date of birth, in terms of Life Insurance Corporation (verification of date of birth of employees) Instruction 1970, which he was not in a position to submit and the said workman has stated that in the concerned letter, there was a threat to the effect, in case of his failure to act as directed within one week, his name would be included in the defaulter's list, for submitting to the authorities concerned and he will be liable to disciplinary action, in terms of Clause 13 of the Scheme as mentioned hereinbefore. It was the case of the said workman that by letter dated March 30, 1976 (Ext. W-3 and also worked as Ext. W-3), addressed to the Assistant Divisional Manager, Unit Hindustan Co-operative and Overseas Group, he submitted the original horoscope in the office of the said Corporation, stating that his age was already verified and admitted by the office and apart from the horoscope, he had no other documentary evidence to prove his age.

9. It has been stated that the said Corporation through various correspondences, enquired of the said workman, of his place of birth including the name of the village, Police Station, Post Office and name of the place of the school, where he studied last and he by his letter of February 24, 1978, informed the said Corporation about the particulars of his place of birth and pleaded his inability to furnish

documents from local authorities, as there was no practice of maintaining birth register by them at the point of time. He has admitted that he could not furnish the name of his school, since he had not received any formal education and further indicated in that letter, that his date of birth as March 16, 1929, was already admitted and recorded by the said Corporation, in his service record, on the basis of horoscope as earlier submitted whereupon Life Insurance Corporation Policy No. 113123 was issued in his favour by Calcutta Divisional Office of the said Corporation, on due rectification. It was also the case of the said workman that the Senior Divisional Manager, Calcutta Division Office of the said Corporation, in reply to a query of the Assistant Divisional Manager, in respect of his age as admitted under the Policy as mentioned hereinbefore, by a letter of November 7, 1978, stated inter alia that the age of the assured under the Policy, was admitted on the basis of the certificate from Unit Overseas and such date of birth was March 16, 1929, as mentioned in the certificate and as admitted under the Policy. He has further mentioned that the date of the above proposal was April 17, 1974 and there, the declared age was 46 years. The above letter, according to the said workman, indicated that his age was verified and recorded as March 16, 1929, by his then employer and that was well before April 17, 1974. It has also been stated that the said Assistant Divisional Manager, by his letter of April 25, 1980, informed the said workman inter alia that "different dates of birth were mentioned in different documents, as such the genuineness of the horoscope was questionable. However, the Zonal Office was inclined to accept his age as 20 years on the date of appointment, which was declared by him in the original application at the time of his appointment i.e. on June 1, 1946 and he was also asked to inform within a week, if he has got to say anything in that regard". The said workman has stated that from the above, it is thus evident that the said Corporation acted illogically and wrongfully in evidence at a wrongful, imaginary and fabricated conclusion, regarding his age and there was no proper application of mind.

10. In reply to the said letter, on May 16, 1980, the workman stated that he only submitted one document i.e. horoscope for verification of his date of birth to the Unit Overseas, which was accepted and his date of birth was recorded as March 16, 1929 in his staff record and in 1974, such date of birth was communicated to the Calcutta Divisional Office, for admission of age in the above mentioned policy. He, of course, took exceptions to the remarks against the horoscope as made and indicated earlier. It has been stated that by his letter of February 3, 1984, ultimately the Assistant Secretary (P) of the Eastern Zonal Office of the said Corporation, informed him that his date of birth was admitted by the competent authority as June 1, 1926, on the basis of his service records. Such recording of date of birth as mentioned, was claimed by the said workman to be speculative, illegal, malafide and baseless, apart from claiming, that such action of the said Corpn. was otherwise illegal and arbitrary and there was no legal sanction behind the same, since there was no appropriate records before the said Corporation to substantiate his date of birth as June 1, 1926. In any event, the action of the said Corporation, in recording the date of birth of the said workman as June 1, 1926, was claimed to be absolutely illegal and in violation of the terms of his original appointment in Pearl Assurance Co., as declaration of his date of birth was March 16, 1929, which again, he claimed, was supported by the Horoscope and accepted by the then management. It has been alleged that thereafter, not only the said workman, but also his Association made several verbal and written representations to the authorities of the said Corporation, for having the illegal and irregular recording of the date of birth corrected and rectified. He has also admitted to have preferred an appeal to the Zonal Manager of the said Corporation, requesting him to rectify the mistakes with regard to the recording of the date of birth, in the light and facts as stated earlier. He has also stated that the General Secretary of his Association, by the letter of May 27, 1985, asked the Zonal Manager, Eastern Zonal Office of the said Corporation, to intervene in the matter and also to set the matter right. It has been stated

that the Assistant Administrative Officer, Eastern Zonal Office of the said Corporation, by his letter of July 3, 1986 to the said workman, without showing any reason whatsoever, stated that his representation dated March 16, 1985 as indicated earlier, was not entertained and his date of birth was fixed at June 1, 1926. Such action, was claimed by the said workman, to be unilateral and based on conjecture and surmises and not on the basis of the record. The said workman has further stated that his Association, not having received any reply to the letter of May 27, 1985 and since they thought, there was no other remedy open, to obtain the required relief, wrote to the Regional Labour Commissioner (C), Calcutta on July 12, 1985, seeking for his intervention in the matter.

11. It has been stated by the said workman that in the meantime, the said Corporation, on October 14, 1985, most illegally and unilaterally, terminated his services. Such termination notice was claimed by the said workman to be illegal, since he was sought to be prematurely retired at the age of 57 years, whereas, he was legally entitled to continue in service upto March 16, 1969, in view of the amended provisions of Life Insurance Corpn. Staff Regulations. The termination in fact, as mentioned according to the said workman, amounted to retrenchment within the meaning of Section 2(oo) of the said Act and as such, he claimed that he was entitled to the said retrenchment compensation and since such compensation was not paid, the said workman claimed the act to be violative of section 25F of the said Act. It was further claimed by him that as his superannuation was not only illegal and irregular, but the same had no legal sanction, so he should be deemed to be entitled to be in the services of the said Corporation, with all wages and ancillary benefits for the intervening period, for such premature superannuation. He has also claimed other terminal benefits viz. Provident Fund, Gratuity etc. In any event the action as resorted to by the said Corporation was alleged by the said workman, to be unjustified, malafide and untenable in law.

12. The said Corporation by the written statement dated September 1, 1985 stated that under the relevant provisions of the said L.I.C. Act, the service of the said workman along with other employees was taken over and transferred to the said Corporation with all the existing terms and condition of service along with other records at the time of Nationalisation of the Life Insurance business and incorporation of the said Corporation. It was the case that the said workman was initially employed under Pearl Assurance Company and from the copy of the application which he made to them for appointment, showed that he was of 20 years of age on June 6, 1946. As such by the process of deduction of 20 years as mentioned, from the date of the application, which was 1946 it has been claimed that the date of birth of the said workman was June 1, 1926. Any other statements contrary to the above were denied.

13. Admittedly, there was a horoscope produced by the said workman during the course of his appointment and more particularly at the time of taking out a Life Insurance Policy, the particulars whereof been indicated earlier and as such, I think, the statement made by the said Corporation, denying receipt of the original horoscope written in Oriya, cannot be believed and it is also difficult to understand, on the basis of evidence as tendered in this case, how this Corporation has stated that there is no record in the possession of their office that his horoscope was not submitted or that the date of birth was recorded on the basis of that horoscope in 1958. It is of course true that in the initial application, made to the Pearl Assurance Co., for appointment, which was received by the said Corporation after Nationalisation, there has been no mention about the Horoscope and as such, the said Corporation could very well ask the said workman to establish his date of birth as March 16, 1929 as alleged.

14. The statement of the said Corporation to the effect that the said workman submitted different dates of birth at different time are of course not without any substance, as apart from the declaration of date of birth as appearing

in the application for employment with Pearl Assurance Co. Ltd., there is admittedly another declaration of date of birth as April 2, 1928 submitted by the said workman at the time of obtaining the Life Insurance Policy. It should also be noted that the said date of April 2, 1928 has further been corrected as March 16, 1929 under the signature of one K. Mazumdar, in the premium receipt in respect of Policy No. 113123, which has been marked as Ext. W-8. It was of course stated by the said Corporation that the date April 2, 1928, which was recorded, was meant only for the Policy document or alternatively for the purpose of taking out the concerned policy and it was claimed that Life Insurance Policy is a different contract and the same has no relation with service condition.

15. The said Corporation has of course agreed subsequently that the horoscope was not admitted for the purpose of recording of date of birth of the said workman and he was duly intimated about that fact through annexure 'B' to the written statement and thereby, the said workman was asked to submit his Birth Certificate from local authority of the place where he was born. The fact, that the said workman wanted to have different dates of birth recorded during his tenure of service would also appear from annexure 'C' to the written statement.

16. It was the case of the said Corporation that as seen as it transpired that the said workman was trying to have different dates of birth recorded, he was given necessary opportunity to submit authentic proof of his age and date of birth and was informed that in default, it would be deemed that he tried to get different dates of birth recorded.

17. The said Corporation has also stated that annexure 'E' to the written statement, which was an application for employment made by the said workman, for employing him at the Telephone Board of the Hindustan annexe building of the Calcutta Divisional Office of the said Corporation indicated that he knew English and could write English and from that document, it would also be evident that he read upto Class VIII and could follow both English and Bengali.

18. Admittedly, the said workman intended to rely very strongly on a letter dated April 17, 1974, which was issued by the Officer-in-charge Unit Overseas, in support of his case and that letter, the said Corporation has claimed, has no basis, as under the relevant provisions of the said Act, the employees are servants of the said Corporation and as such, the authority of the address or of the said letter dated April 17, 1974, was only limited to the extent of the jurisdiction, he was exercising. It was also stated by the said Corporation that the letter of April 25, 1980 would prove and establish that the said workman was duly informed about his date of birth as recorded and there was or could not be any ambiguity. The said Corporation has further relied on to annexure 'F' to the written statement, which has also been marked as Ext. M-2 (on admission) and that document would further show that at the time of claim of medical assistance, he declared his age as 37 years on December 9, 1965 and thus, his date of birth on calculation appeared to be 1928 and this admitted fact will also establish the inconsistent stand taken by the said workman at the time of giving declaration about his date of birth. It reiterated that the date of birth of the said workman was recorded duly on the basis of the records Ext. M-1, as received from Pearl Assurance Company.

19. It has been stated that the appeal of the said workman was duly disposed of by the Zonal Manager on July 3, 1985 and that fact was also communicated to him.

20. In any even, it has been denied in the facts of this case that the service of the said workman was terminated and for that he was entitled to retrenchment compensation, as claimed. It was stated that the case under consideration was nothing but a case of superannuation duly effected and as such, the said workman would not be entitled to claim the benefits as asked, including retrenchment compensation.

21. A refoinder dated October 7, 1988 was filed and on consideration of the same would appear that the material

allegations in the written statement have been sought to be controverted and contradicted and it was further stated by the said workman that he had only one horoscope, which was prepared immediately after his birth and on the basis of that horoscope, his original employer M/s. Pearl Assurance Co., recorded the date of birth and on that basis, his date of birth was March 16, 1929 and he claimed for production of these records from the said Corporation, as received from M/s. Pearl Assurance Company.

22. It is true that from Ext. M-1, the application of the said workman, for employment in Pearl Assurance Co. and the declaration as made therein, the date of birth of the said workman, on due calculation appearing appeared to be June 6, 1926, may be 6th or 1st, but such date would be immaterial, as the admitted month and year of the birth, could not be found out. Mr. Seal, referred to such declaration, as appeared to be made by the said workman unequivocally and further indicated that under the said Act and more particularly under Section 11 of the same, the said date of birth, as recorded with the erstwhile employer of the said workman, viz., Pearl Assurance Co., could be taken into consideration, as, after Nationalisation, the business/organisation of Pearl Assurance Co., with all the existing rights, duties and obligations and declarations of their employees, including those of the said workman, vested in the said Corporation. The fact, that the said workman was initially appointed in the Pearl Assurance Co., was not in dispute. In fact, the said fact has been admitted by the said workman (W-3) himself, apart from testifying that he signed the said Ext. M-1. He has of course stated that there, the date of birth was recorded as March 16, 1929, which fact, of course, do not get support from Ext. M-1, which was marked on admission. Furthermore, the employment of the said workman in Pearl Assurance Co., will also appear from Ext. M-4, where he himself has stated to be appointed as an "office boy".

23. Since Ext. M-1 was marked on admission, it would be in my view, very difficult for the said workman to retract from the statements as recorded or the declarations made therein. The said workman, has of course, denied the age as recorded in Ext. M-1 now and Shri Dutta wanted to contended, as appearing from his submissions on the facts, that the said Exhibit has not been duly prayed by any supporting records and really, the date of birth, should have been counted and considered on the basis of Ext. W-10, which was produced before the said Corporation and acted upon. by then, as on that basis, the said workman was allowed to have the Life Insurance Policy, as indicated earlier. I have already indicated, the difficulty in accepting the submissions, as made by the said Corporation, about the non receipt of the said Ext. M-10, as it would appear from Ext. M-3, the said Horoscope was enclosed by the said workman with the said letter dated March 3, 1976. But, even then or even in view of Exts. W-11 and W-12, I feel that the said Corporation was justified, on the evidence as available from the admitted document Ext. M-1, to act on the basis of the date of birth as indicated and recorded therein, as admittedly, it appeared from other evidence as received in the proceedings through Exts. W-5 and M-2, which was also marked on admission that the said workman gave different declarations regarding his date of birth at different stages and times.

24. In Ext. W-8, which related to Policy No. 113123, the date of birth of the said workman was initially typed as April 2, 1928, but the same has been subsequently corrected by hand as March 16, 1929. The said exhibit was dated November 1, 1974 and the corrections as indicated, were sought to be made on May 7, 1974. In that exhibit, no doubt, a Rubber stamp endorsement, showing "Age admitted", has been affixed, but the signature of the maker of that Exhibit was not duly proved. On the other hand, through Ext. W-9, the Working President of the Union (WW-2), wanted to establish that the same was under the signature of one Sri Aswini Majumder, Divisional Manager of the said Corporation. The witness could not also legally establish and testify the signature of the said Sri Majumder and his evidence on the point, was far from being satisfactory. Such evidence was specifically denied and disputed by the said Corporation, through the evidence of their Administrative Officer, Personnel and Industrial Relations (MW-1). It was stated that on the date of the said Exhibit, which was June 11, 1974, there was no such officer working with the said Corporation and to establish such fact, the relevant record, Ext. M-5, was pro-

duced through the said witness MW-1 and unfortunately, there was no cross-examination of the witness either on the said Ext. M-5 or the evidence adduced on the same. Thus, the evidence on the point has gone unchallenged. In fact, it appeared that in 1963, there was a Divisional Manager, whose name was A. K. Mazumder and on retirement, he went out of the service of the said Corporation on November 2, 1963.

25. The said Ext. W-9, which was dated June 11, 1974 was a printed form in respect of Proposal No. 125—415 (Staff Scheme), having different serials, which are to be filled in and serial No. 15 of the same related to (15) Please call on or....., meaning thereby, intimating the proposer to call at the office on a given date, but strongly enough in that column, it has been mentioned "your age stands admitted in your prev. policy with date of birth as 2-4-1928. Date of birth in your service record is 16-3-29" and again in serial No. 19 of the document, the said workman has been informed "Please reconcile the discrepancies in date of birth". I have already indicated the evidence regarding the authenticity of the document, in respect of the maker of the same and is it not strange that in spite of the clear admission in Ext. M-1, which is now an official document of the said Corporation, the said officer has informed the said workman, that in the records, his date of birth has been recorded as 16-3-1929. The said Ext. W-9 was not also free from doubt and authenticity, even though it was contended that on receipt of necessary clarification, in reply to the same, the said Staff Policy was made regular one being Policy No. 113123. The original Policy was not produced. Furthermore, from Ext. M-5, it appeared at the time relevant to Ext. W-8 and W-9 there was no officer in the said Corporation by the name of Aswini Mazumder and holding the concerned post.

26. The Horoscope Ext. W-10 which was in Oriya, was not also duly proved, although Mr. Dutta filed an English translation of the same on September 2, 1991. It would appear, Section 48 of the said LIC Act authorises the Central Government, to make Rules by notification in official gazette and Section 49, authorises the said Corporation, to make Regulations with previous approval of the Central Government, and such Regulations have been framed and under Regulation 4 of the same, the Life Insurance Corporation of India Verification of date of birth of employees) Instructions 1970, as mentioned earlier, have also been framed.

27. Mr. Dutta made specific reference to that instructions and submitted that unless the context otherwise requires "document" or "listed document" should mean document specified in the First Schedule. It was his further submission that the word "entry" will mean the entry of date of birth of an employee in the staff record, which means, the service record, maintained under Regulation 85 of the (Staff) Regulations. On further reference to clause 4(i) of the said Instructions, it was submitted by Mr. Dutta that the date of birth of an employee of the said Corporation is required to be recorded in the Staff record by an order duly made in accordance with the provisions of the Instructions and no order for such entry could be made except on the basis of listed document relating to the employee concerned and unless the document demonstrably pertains to him and the authority passing such order was satisfied that the document was the most authentic one and was not tampered with, the same could be relied upon for establishing correct date of birth of the employee concerned. Nobody could dispute the submissions as aforesaid as they are required under the Instructions. Mr. Dutta's submission was that, when the said Corporation has not produced the Staff records of the said workman, as the declaration as given by him on the basis of the Horoscope Ext. W-10 or the age as indicated therein should have been accepted, given effect to and acted upon, more particularly when, in the first schedule, dealing with description of documents, there has been a reference to Horoscope in Serial No. 9. There is no evidence that the Horoscope Ext. W-10 was produced at the time of initial appointment of the said workman with Pearl Assurance Co., but he himself declared his age as 20 years on June 6, 1946 in Ext. M-1, which again, as stated earlier, was marked on admission. There is also no

doubt and as appearing from the evidence that the said Exhibit was received by the said Corporation so in terms of Section 11 of the said LIC Act, the services of the said workman stood transferred to the said Corporation automatically. Apart from the above, the said workman has given different dates of birth at different states which fact goes, in great way, against his contentions that his date of birth was recorded in the records of the said Corporation on the basis of the Horoscope Ext. W-10.

28. Thus, on the totality of the evidence as available in this proceedings, it is very difficult to say that the said workman has been able to establish that his date of birth was recorded with the said Corporation on the basis of the said Horoscope and the contents of the admitted document Ext. M-1, were wrong.

29. In support of his submissions on the recording of the date of birth, Mr. Dutta referred to two Awards of this Tribunal dated May 20, 1982 and June 24, 1988, made respectively in Reference Nos. 14 of 1980 and 4 of 1985. But, the facts and circumstances of this case being different from the facts of these cases, I feel that they are not applicable in this case.

30. In view of the above, I hold that the said workman has not been able to establish his case and as such, he cannot succeed in having an answer of the Reference in the affirmative i.e. in his favour and as such, the Reference should be rejected and I order accordingly.

31. This is my Award.

Dated, Calcutta,

The 25th February, 1992.

MANASH NATH ROY, Presiding Officer

नई दिल्ली, 1 अप्रैल, 1992

का.ग्रा. 1114:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मैसर्स भारत कोकिंग कोल लि. की केन्दवाडीह कोलियरी के प्रबन्धतंत्र से संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, (सं. 2), धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-3-1992 को प्राप्त हुआ था।

[फाइल संख्या एल-20025/9/85-डी-3 (ए)/आई.मार.
(कॉल-1)]

वी.के. वेणुगोपालन, डेस्क अधिकारी

New Delhi, the 1st April, 1992

S.O. 1114.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, (No. 2), Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Kendwadeh Colliery of M/s Bharat Coking Coal Ltd. and their workmen, which was received by the Central Government on 23-3-1992.

[No. L-20025(9)85-D.III(A)IR(Coal-I)]

V. K. VENUGOPALAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri B. Ram, Presiding Officer.

In the matter of an industrial dispute under Section 10(1)(d) of the I. D. Act, 1947.

REFERENCE No. 307 OF 1986

PARTIES :

Employers in relation to the management of Kendwadih Colliery of Messrs. Bharat Coking Coal Limited and their workmen.

APPEARANCES :

On behalf of the workmen.—Shri S. N. Goswami, Advocate.

On behalf of the employers.—Shri B. Joshi, Advocate.

STATE—Bihar

INDUSTRY—Coal

Dated, Dhanbad, the 16th March, 1992

AWARD

The Govt. of India, Ministry of Labour & Rehabilitation in exercise of the powers conferred on them under Section 10(1)(d) of the I. D. Act, 1947 had referred the following dispute to the Central Government Industrial Tribunal No. 1, Dhanbad vide Ministry's order No. L-20012|263|82/D-III(A) dt. 8-3-83 and the said dispute was registered there as Ref. No. 10 of 1983. Subsequently the said dispute was transferred to this Tribunal from Central Govt. Industrial Tribunal No. 1, Dhanbad vide Ministry's Order No. L-20025(9)|85-D.III(A) dated 18-8-1986 and the same is registered as Ref. No. 307 of 1986.

THE SCHEDULE

"Whether the demand of the workmen of Kendwadih Colliery in Area No. VII of Messrs. Bharat Coking Coal Limited, Post Office Kusunda, District Dhanbad that the 12 workers listed in the Annexure below should be departmentalised in the service of the management of the Colliery is justified? If so, to what relief and from what date are these workers entitled?"

ANNEXURE

S. No. Name of the worker.

1. Shri Ramadhin Rajak
2. " Anand Singh.
3. " Keol Singh.
4. „ Bikram Sharma.
5. „ Shri Binay Paswan
6. " Gobind Das.
7. „ Baleswar Das.

8. Shri Jagdeo Das.

9. " Ganauri Das.

10. " Sorai Bhuia.

11. " Alam Ansari

12. „ Bangali Thakur

2. The concerned workmen are claiming departmentalisation on the ground that they had done and have been doing perennial nature of job in the colliery since 1978 as Casual Mazdoor. It was stated through the W. S. that the concerned workmen were engaged by the management to meet their urgent jobs of perennial nature like stone/coal cutting Lane packing stopping etc. They denied to have ever worked under any contractor and so they were not the contractors labour. Certainly they worked under leadership of Shri Bikram Sharma who was not a contractor under the Contract Labour (Regulation and Abolition) Act. It was further stated that their attendance was marked at the pit head and they were also issued cap lamp individually where in they have been shown as workmen and not contractor labour. These workmen had also raised their dispute before the ALC(C), Dhanbad which ended in failure giving rise to the present reference.

3. The management had also filed the separate W.S. denying the claims of the concerned workmen. It was stated that the concerned workmen worked as contractors workmen in the year 1979 under Md. Salim and subsequently under Bikram Sharma. The management did not engage contractor workers on the job of prohibited category according to the notification issued by the Central Govt. under the provision of Contract Labour (Regulation and Abolition) Act, 1970. It was stated that the concerned workmen worked on non-prohibitory job of contractor which are available on casual and temporary basis. Their main work was cleaning of the surface and under ground drains, filling of cracks on the surface, filling of mines from coal dust and other materials. Accordingly it has been prayed that the Award be passed and the concerned workmen are not entitled to any relief.

4. To cut short the matter the management during the pendency of the reference entered into settlement and a photo copy of the same has been marked Ext. M-1. From the settlement it appears that there were in all 11 concerned workmen and the management settled the matter with all except Sorai Bhuia who had not put in requisite attendance in the relevant period. The term of the settlement states that the concerned workmen minus Shri Sorai Bhuia had put in 190 days of attendance in a calendar year during the period 1983-84 and 1985 hence they were departmentalised. However, one Shri Gobind Das was reported to be dead. It will appear that the terms of the settlement was signed by the representative of the management and one Shri H. N. Upadhyaya, General Secretary, Bihar Mines Lal Jhanda Mazdoor Union. In Col. 4 of the settlement it is stated that no dispute subsisted with respect to all the concerned workmen save and except Shri Sorai Bhuia. It will also appear that the concerned workmen had also signed the agreement except Sorai Bhuia.

5. The terms of the settlement are suggestive of the fact that the concerned workmen were underground workers because they were required to put 100 days attendance for their regularisation. MW-1 Shri R. K. Ojha has stated that the attendance of all the concerned workmen were checked and those who had completed 190 days in a year were regularised. The witnesses examined on behalf of the concerned workmen stated that Sorai Bhuia should also be regularised but no reason has been assigned as to why he should be departmentalised. During cross-examination of MW-1 it has been taken that one Shri A. K. Dey was Agent at that time. The witness has displayed his ignorance as to whether Sri Dey had granted any certificate to Sorai Bhuia that he had put 190 days attendance in a year. The witness also denied the suggestion that Sorai Bhuia worked for 190 days. Even Sorai Bhuia WW-5 stated that he did not possess any paper to show his attendance. However, in this connection I may refer to Ext. W-22 which is the photo copy of certificate granted by the Agent of Kendwadiah colliery. In the certificate the name of Sorai Bhuia appears at Sl. No. 7 showing that in the year 1982 he had done 215 days work meaning thereby that he had completed 190 days attendance in a year on this basis the learned counsel for the workmen contended that Sorai Bhuia should also be departmentalised.

6. Now let us deal with briefly the evidence of other witnesses examined on behalf of the workmen. WW-1 Ramadhin Rajak, WW-2 Bikram Sharma, and WW-3 Binay Paswan all concerned workmen have stated that they were discharging perennial nature of job like coal cutting, drilling, Tyndal and explosive carrier. They stated that they were supplied with cap lamp before going for underground work and their attendance was also marked. WW-4 has not stated that Sorai Bhuia had completed 190 days attendance in a year. However, he stated that the workers who had completed 190 days attendance in a year were departmentalised. It was contended on behalf of the concerned workmen that the management should have produced attendance register to consider the case of Sorai Bhuia. On the contrary the learned counsel for the management urged that settlement (Ext. M-1) was signed by the Secretary, Bihar Mines Laljhanda Mazdoor Union and in his presence the attendance of all the concerned workmen were checked. Had Shri Sorai Bhuia completed 190 days there could have been no reason for the management to ignore his case.

7. The witnesses for the workmen stated further that they were not the contractor labour and the work done by them was not of casual and intermittent nature. Since the matter has already been settled there does not appear any reason to deal with this aspect of the matter in details. But incidentally I may refer to some of the Exts. to establish the relationship of employer and employee and the nature of the job performed by them. Ext. W-1 shows that the concerned workmen were transferred from Putki Colliery to Kendwadiah colliery by the Agent, Putki Colliery. The question is if these workmen were contractor labours then why they will be transferred from one place to another by the management and the simple inference will be that they were the employees of the colliery.

8. A number of documents including work orders and bills have been filed to show the nature of the job performed by the concerned workmen but the discussions of all these documents will be irrelevant and unnecessary when the management has already departmentalised all the concerned workmen except Sorai Bhuia who has been left out, as per discussions made above. I find that Ext. W-22 is the only trump card in possession of the workmen but this document has been branded by the management as forged paper. Be that as it may it is true that Sorai Bhuia was also a worker like other in the colliery and the only difference was that he did not work for 190 days and hence he could not be regularised. In this connection I may refer to the evidence of WW-4 who stated in his evidence that he possess the original of Ext. W-22. The witness is one Shri Seoji Prasad, Secretary of Lal Jhanda Mazdoor Union. I find that the original of the document could not be produced in the Court. Again it can be well argued as to why the said document was not produced at the time of settlement. The learned counsel for the management contended that the inference would be that the document if produced was not worth reliable. The witness also stated that 11 workmen of this reference after settlement stands no grievance so far their case is concerned. This witness had also no grievance if Sorai Bhuia is departmentalised. I have already discussed this aspect of the matter and there is nothing to show that Sorai Bhuia had completed 190 days attendance in a year. Original of Ext. W-22 ought to have been produced by the workmen when it was already in possession of Shri Seoji Prasad just to belie the contention of the management that the said document was forged and fabricated.

9. I have considered this aspect of the matter and it is well established that Sorai Bhuia was not departmentalised only because he did not put in 190 days of attendance but it will be too hard for a workman to sustain if he is completely thrown out from his service. In these hard days a compassionate view requires to be taken and he can very well be engaged as badli miner loader and his case for departmentalised will be considered in due course as per rules. He is sitting idle since long. The management is thus directed to engage Shri Sorai Bhuia as Badli Miner Loader within one month from the date of publication of the Award and to regularise him in due course after his completion of 190 days of attendance.

An Award is passed accordingly.

Sd/-

B. RAM, Presiding Officer

नई दिल्ली, 1 अप्रैल, 1992

का.आ. 1115:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मैसर्स भारत बैंकिंग कोल लि. की जीलमोरा कोलियरी के प्रबन्धन में संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में

केन्द्रीय सरकार औद्योगिक अधिकरण, (सं. 1), धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-3-92 को प्राप्त हुआ था।

[काइल संख्या एल-20012(313) 90-आई. आर-
(कोल-1)]

वी.के. वेणुगोपालन, डेस्क अधिकारी

New Delhi, the 1st April, 1992

S.O. 1115.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, (No. 1), Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Jealgora Colliery of M/s. BCCL and their workmen, which was received by the Central Government on 25-3-1992.

[No. L-20012|313|90-IR(COAL-I)]

V. K. VENUGOPALAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947.

Reference No. 16 of 1991

PARTIES :

Employers in relation to the management of Jealgora Colliery of M/s. B.C.C. Ltd.

AND

Their Workmen.

PRESENT :

Shri S. K. Mitra, Presiding Officer.

APPEARANCES :

For the Employers : Shri B. Joshi, Advocate.

For the Workmen : Shri A. Kumar, Advocate.

STATE : Bihar.

INDUSTRY : Coal.

Dated, the 17th March, 1992

AWARD

By Order No. L-20012|313|90-I.R. (Coal-I), dated, the 19-3-1991, the Central Government in the Ministry of Labour, has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2-A) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of the management of Jealgora Colliery of M/s. B.C.C. Ltd., P. O. Jealgora, Distt. Dhanbad in dismissing Shri Jitan Tanti is justified? If not, to what relief the workman is entitled?”

2. The case of the management of Jealgora Colliery of M/s. B.C.C. Ltd., as disclosed in the written statement-cum-rejoinder, is as follows :

Jiten Tanti, the concerned workman, was taken in the employment of the management as Badli Miner Loader on the basis of his attendance during the years 1973—75 as delisted casual worker. Subsequently it transpired that he got bonus register manipulated to get his attendance entered in the said register for more than 75 days during the period from 1973 to 1975. He was issued with a chargesheet dated 13-3-86 for commission of misconduct of fraud or dishonesty in connection with company's business or property. He submitted the reply to the chargesheet denying the allegation. The management held departmental enquiry by appointing Sri K. K. Singh, Sr. Personnel Officer of Bararee Colliery as Enquiry Officer after serving due notice to the concerned workman and others who were issued similar chargesheets containing similar allegations. The joint enquiry held in respect of 14 such workmen on a number of dates. The Enquiry Officer submitted his report on 17-8-89 holding the concerned workman guilty of the misconduct levelled against him. The Chief Mining Engineer of the Area accepted the findings of the Enquiry Officer and approved of his dismissal from service and thereafter he was dismissed from service with effect from 26-8-89. It is submitted that the action of the management is legal, bonafide and justified.

3. The case of the concerned workman, as appearing from the written statement submitted by him, briefly stated, is as follows :

Since 1972 upto about 1976 several workmen including the concerned workmen were working at Bhulanbararee colliery as casual labour. But during the period of emergency in 1976 Sri T. Prasad, one of the managers of the colliery stopped them from service. The INTUC took up the case of the retrenched workmen with M/s. B.C.C. L. officials. In 1981 an agreement was reached between M/s. B.C.C. Ltd. authorities and labour leaders and as a consequence a Committee consisting of ten members was formed. The Committee was authorised to scrutinise the attendance of different workmen and such workmen who had completed 75 days of employment as casual worker were to be employed by M/s. B.C.C. Ltd. As a result of scrutiny 16 workmen were found eligible including the concerned workman and recommendations were made for their employment. They were duly employed at Bhowra colliery and from that colliery the concerned workman was transferred to Bhulanbararee colliery and from Bhulanbararee to Jealgora colliery. The concerned workman received a copy of Office Order from the office of G.M. dated 25-8-88|6-9-88. The said Officer Order indicates that the concerned workman, while working a MCL at Jealgora colliery, had been served with a chargesheet dated 13-3-86, but this chargesheet was never received by him and hence the question of giving any reply to the chargesheet did not arise. He wrote to the Enquiry Officer that no chargesheet was received by him. Sri K. K. Singh, who was appointed Enquiry Officer, sent a reply enclosing the chargesheet dated 13-3-86.

In the chargesheet the allegation was made against him for misconduct of theft, fraud or dishonesty in

connection with company's business or property under Clause 27(2) of the certified Standing Orders. Anyway, he sent reply to the chargesheet denying to have received any chargesheet and also that no enquiry was held. INTUC Head Quarters level went in arbitration with C.M.D. of B.C.C. Ltd. and all the 14 workmen dismissed from service as also 2 others were allowed to resume duty and he was also allowed to resume duty on 25-1-91 and since then he has been working. At the time of illegal dismissal he was working as time-rated employee. But he was compelled to join as an employee on piece-rated basis.

4. It appears that before the order of reference was sent to this Tribunal, the management and the union representing the concerned workman and the concerned workman himself entered into a settlement over the dispute. The terms of settlement dated 16-1-91 reads as follows :

- "1. That Shri Jitan Tanti will be taken into employment afresh as DCL and he will be posted at Bhowra (N) U/G Mines.
2. That he will not be engaged for any other job other than the job of DCL.
3. The workman concerned shall be allowed to work as DCL only if he is found to be physically fit for the job of DCL.
4. That the employment will be given subject to the confirmation of the genuinity of identity is established by the appropriate authority.

Accordingly, the case of Shri Jitan Tanti was sent to the Supdt. of Police for verification regarding the genuinity and his antecedents, and we are in receipt of the verification report that Shri Jitan Tanti is found to be a genuine person and there is nothing adverse against him in the report and subsequently, his case was sent to Jealgora Central Hospital to ascertain whether he is fit for duty as DCL or not and as per report received from Jealgora Central Hospital we found that Shri Jitan Tanti is fit for the job of DCL.

5. That he will not be paid any wages for the past i.e. from the date of dismissal to the date of joining his duty as DCL afresh at Bhowra (N) U/G Mines.
6. That the date of appointment as DCL will be considered on and from the date of joining afresh as DCL in the concerned colliery.
7. That the settlement will resolve all the disputes of Shri Jitan Tanti whatsoever and he will not claim any back wages whatsoever or any other benefits for the period mentioned above."

5. Accordingly, the following award is rendered the action of the management of Jealgora Colliery of M/s. B.C.C. Ltd. in dismissing Jitan Tanti, the concerned workman, is not justified. The terms of settlement and the pleading of the concerned workman indicate that he has already been taken into employment on the basis of terms of settlement as indicated above.

In the circumstances of the case, I award no cost.

This is my award.

S. K. MITRA, Presiding Officer

नई दिल्ली, 1 अप्रैल, 1992

का.आ. 1116:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मैसर्स भारत कोकिंग कोल लि. की लेकडी दीप कोलियरी के प्रबन्धतंत्र से संबद्ध नियोजकों और उनके कर्म-कारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, (सं. 1) धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-3-1992 को प्राप्त हुआ था।

[फाइल संख्या एन-20012/120/88-डी-3 (ए)/डी-4(ए)]

[बी.के. वेणुगोपालन, डेस्क अधिकारी]

New Delhi, the 1st April, 1992

S.O. 1116.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal (No. 1), Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Laikdi Deep Colliery of M/s. B.C.C. and their workmen, which was received by the Central Government on 23-3-1992.

[No. L-20012/120/88-D. 3A/D.4(A)]

V. K. VENUGOPALAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947.

Reference No. 142 of 1988

PARTIES :

Employers in relation to the management of Laikdi Deep Colliery of M/s. B.C.C. Ltd.

AND

Their Workmen.

PRESENT :

Shri S. K. Mitra, Presiding Officer.

APPEARANCES :

For the Employers : Shri B. Joshi, Advocate.

for the Workmen : Shri S. Bose, Secretary, Rashtriya Colliery Mazdoor Sangh

STATE : Bihar.

INDUSTRY : Coal.

Dated, the 16th March, 1992

AWARD

The present reference arises out of order No. L-20012/120/88 D.2(A)/D.4(A) dated 31-10-88 passed

by the Central Government in respect of an industrial dispute between the parties mentioned above. The subject matter of the dispute has been specified in the schedule to the said order and the said schedules runs as follows :

"Whether the action of the management of Chanch-Victoria Area No. XII of M/s. B.C.C.L. in refusing employment to the son-in-law of Late Shri S.C. Bose who was his dependant is justified ? If not, what relief the workman is entitled ?"

2. The dispute has been settled out of Court. A memorandum of settlement has been filed in Court. I have gone through the terms of settlement and I find them quite fair and reasonable. There is no reason why an award should not be passed on the basis of terms and conditions laid down in the memorandum of settlement. I accept it and pass an award accordingly. The memorandum of settlement shall form part of the award.

3. Let a copy of this award be sent to the Ministry as required under section 15 of the Industrial Disputes Act, 1947.

S. K. MITRA, Presiding Officer

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1,

At - Dhanbad.

Reference No. 142/88.

Employers in relation to the management of Laikdih Deep Colliery

AND

Their Workmen.

Petition of Compromise.

The humble petition on behalf of the parties to the above reference most respectfully sheweth :—

1. That the above dispute has been amicably settled between the parties on the following terms :—

- (a) That the dependent Son-in-law of Late S.C. Bose will be provided with employment as a special case on compassionate ground subject to the conditions stated hereinafter.
- (b) That he should submit an Affidavit giving all his bio-data as well as his relationship with late S. C. Bose. In the said affidavit, he should incorporate a clause to the effect that he would look after the family members of late S. C. Bose and he has never been convicted for any offence.
- (c) That the widow of late S.C. Bose also will submit an affidavit to the effect that she has nominated her son-in-law for employment with her free will and volition and will have no claim in future for any relief from the management on any ground.

(d) That in case any of the particulars given in the affidavit, submitted by the dependent son-in-law will be found incorrect at any stage, the management will have right to terminate his services.

(e) That the offer of employment is subject to police verification report being found O.K. from the concerned state authority.

(f) That the management will process the case after receipt of the Affidavits referred above and the dependent son-in-law will be sent for his medical examination as per the usual procedure and will be provided with employment within 30 days from the date of medical examination subject to his medical fitness and suitability for employment as per Company's rules.

2. That in view of the aforesaid settlement, there remains nothing to be adjudicated.

Under the facts and circumstances, stated above, the Hon'ble Tribunal will be graciously pleased to accept the settlement as fair and proper and be pleased to pass the Award in Terms of the Settlement.

For the Workmen :

1. Sd./-

(Chandan Singh for G.D. Pandey)

2. Sd./-

(Tarun Kumar Mitra)
Son-in-Law.

For the Employer :

1. Sd./-

General Manager.
B. C. C. Ltd.

2. Sd./-

Personnel Manager,
B.C.C. Ltd., C/V Area.

Witnesses :

1. Sd./-

Mother-in-Law.

2. Sd./-

(Ramdhari Ram) E.B. No. 232075

Sd/- (Illegible)

dt. 25-2-92

Sd/- (Illegible)

dt. 3-3-92

Part of the Award.

Sd./- (Illegible)

Presiding Officer,

Central Govt. Industrial Tribunal-cum-labour

Court (No. 1), Dhanbad.

नई दिल्ली, 1 अप्रैल, 1992

का.भा. 1117 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मैसर्स भारत कोकिंग कोल लि. की न्यू इन्क्लाइन माइन, सुदाम्दीह कोलियरी के प्रबन्धन से संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, (सं.-1) खनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-3-1992 को प्राप्त हुआ था।

[फाइल सं. एल-20012/(106)/88-डी-4 (ए)/आई.आर-
(कोल-I)]

वी.के. वेणुगोपालन, डेस्क अधिकारी

New Delhi, the 1st April, 1992

S.O. 1117.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal (No. 1), Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of New Incline Mine of Sudamdih Colliery of M/s. BCCH and their workmen, which was received by the Central Government on 23-3-1992.

[No. L-20012(106)/88.D.4(A)/IR(Coal-I)]

V. K. VENUGOPALAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947

Reference No. 78 of 1989

PARTIES :

Employers in relation to the management of New Incline Mine of Sudamdih Colliery of M/s. B.C.C. Ltd.

AND

Their Workmen.

PRESENT :

Shri S. K. Mitra, Presiding Officer.

APPEARANCES :

For the Employers : Shri R. S. Murthy, Advocate.

For the Workmen : Shri S. P. Singh, General Secretary, Khan Mazdoor Congress.

STATE : Bihar.

INDUSTRY : Coal.

Dated, the 16th March, 1992

AWARD

The present reference arises out of Order No. L-20012(106)/88-D. 4(A)/I. R. (Coal. I), dated 14-6-1989 passed by the Central Government in respect of an industrial dispute between the parties

mentioned above. The subject matter of the dispute has been specified in the schedule to the said order and the said schedule runs as follows :—

"Whether the action of the management of New Incline, Sudamdih Colliery, M/s. BCCL, P.O. Sudamdih, Dt. Dhanbad in dismissing Shri Govind Ray, Miner/Loader from service w.e.f. 5-11-1987 is justified? If not, to what relief the workman is entitled?"

2. The dispute has been settled out of Court. A memorandum of settlement has been filed in court. I have gone through the terms of settlement and I find them quite fair and reasonable. There is no reason why an award should not be passed on the basis of terms and conditions laid down in the memorandum of settlement. I accept it and pass an award accordingly. The memorandum of settlement shall form part of the award.

3. Let a copy of this award be sent to the Ministry as required under Sec. 15 of the I.D. Act, 1947.

S. K. MITRA, Presiding Officer.

BEFORE THE CENTRAL GOVT. INDUSTRIAL
TRIBUNAL NO. 1, DHANBAD

REF. NO. 78/89

PARTIES :

Employers in relation to the Management of New Incline Mine of Sudamdih Colliery of Bharat Coking Coal Ltd. P.O. Sudamdih Distt. Dhanbad.

AND

Their workmen,

JOINT COMPROMISE PETITION OF EMPLOYERS AND WORKMEN

The above mentioned Employers and workmen sponsoring Union most respectfully submit jointly as follows :—

(1) That the employers and the sponsoring Union jointly negotiated the matter covered by the above reference with a view to arriving at an amicable and mutually acceptable settlement on an overall basis.

(2) That as result of such mutual negotiations, the parties have jointly agreed to settle the matter covered by the above reference on overall basis on the following terms :—

(a) It is agreed that the Management shall reinstate the workmen concerned in the post held by him prior to his dismissal service (i.e. 5-11-1987) within 15 days of this joint compromise petition being accepted by this Hon'ble Tribunal.

(b) It is agreed that the workman concerned shall be paid by the Management a lump sum amount of Rs. 20,000 towards his back wages and all over benefits for the intervening period between the date of his dismissal i.e. 5-11-1987 and date of reinstatement in full and final settlement

of all his claims for such intervening period, within one month.

- (c) It is agreed that the workman concerned Sri Govind Roy will have the benefit of continuity of service which will be counted towards calculation of gratuity when he ultimately ceases to be in the employment of Management on superannuation etc.
- (d) It is agreed that the workman concerned shall be paid basic/group wage plus SPRA which he was drawing at the time of his dismissal, on his reinstatement.
- (e) It is agreed that if the workman repeats the misconduct of unauthorised absenteeism in future, the Management shall be entitled to take deterrent action against him.
- (f) It is agreed that this is an overall settlement in respect of all claims of the workman concerned and the Union arising out of this reference.
- (3) That the Management and the workmen, sponsoring Union consider that the above terms of settlement are fair, just and reasonable to both the parties.

In view of the above, the Employers and the workmen/sponsoring Union jointly pray that the Hon'ble Tribunal may be pleased to accept this joint compromise petition and give an Award in terms thereof and dispose of the reference accordingly.

Sd/-

(S. P. SINGH)
General Secretary,
Khan Mazdoor Congress
For & on Behalf of Workmen.

Sd/-

(S. BHATTACHARIYA)
General Manager,
Sudamdih Area,
Bharat Coking Coal Limited
For & on behalf of employers.

Sd/-

(RAL. S. MURTHY),
Advocate.
For Employers

Part of the Award.

Sd/-

Presiding Officer
Central Govt. Industrial Tribunal-
cum-Labour Court (No. 1).
Dhanbad

नई दिल्ली, 1 अप्रैल, 1992

का.आ. 1118 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूचना में, केन्द्रीय सरकार, यैसर्स भारत कोकिंग कोल लि. का ब्लाक-2 क्षेत्र के प्रबन्धतंत्र में संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निश्चित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, (सं.-1), धनबाद के पंचाट को 877 GI/92—10.

प्रकाशित करती है, जो केन्द्रीय सरकार को 23-3-1992 को प्राप्त हुआ था।

[फाइल संख्या एल-20012(147)/89-आई.आर. (कोल-I)]

वी.के. वेणुगोपालन, डेस्क अधिकारी.

New Delhi, the 1st April, 1992

S.O. 1118.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal (No. 1), Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Block-II Area of M/s. Bharat Coking Coal Ltd. and their workmen, which was received by the Central Government on 23-3-1992.

[No. L-20012(147)/89-IR(Coal-I)]

V. K. VENUGOPALAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference under Sec. 10(1)(d) of the Industrial Disputes Act, 1947

Reference No. 9 of 1990

PARTIES :

Employers in relation to the management of Block-II Area of M/s. B.C.C. Ltd. ;

AND

Their Workmen.

PRESENT :

Shri S. K. Mitra, Presiding Officer.

APPEARANCES :

For the Employers—Shri B. Joshi, Advocate.

For the Workmen—Shri D. Mukherjee, Secretary, Bihar Colliery Kamgar Union.

STATE : Bihar.

INDUSTRY : Coal.

Dhanbad, the 17th March, 1992

AWARD

The present reference arises out of Order No. L-20012/147/89-I.R.(Coal-I), dated the 11th January, 1990 passed by the Central Government in respect of an industrial dispute between the parties mentioned above. The subject matter of the dispute has been specified in the schedule to the said order and the said schedule runs as follows :—

"Whether the management of M/s. Bharat Coking Coal Ltd. in relation to Block II Area is justified in superannuating the workman Smt. Kamali Kamini W/o Bisay Kumar w.e.f. 1-1-88. If not, to what relief the concerned workmen is entitled to?"

2. The dispute has been settled out of Court. A memorandum of settlement has been filed in Court.

I have gone through the terms of settlement and I find them quite fair and reasonable. There is no reason why an award should not be passed on the basis of terms and conditions laid down in the memorandum of settlement. I accept it and pass an award accordingly. The memorandum of settlement shall form part of the award.

3. Let a copy of this award be sent to the Ministry as required under section 15 of the Industrial Disputes Act, 1947.

S. K. MITRA, Presiding Officer

MEMORANDUM OF SETTLEMENT

BEFORE THE PRESIDING OFFICER, CENTRAL
GOVERNMENT, INDUSTRIAL TRIBUNAL
NO. 1 AT DHANBAD

Reference No. 9/90

Employers in relation to the Management
Block-II Area

AND

Their Workman.

The humble petition on behalf of the parties to the above reference most respectfully sheweth :—

1. That, the above dispute has been amicably settled between the parties on the following terms :—

TERMS OF SETTLEMENT

(a) That the concerned lady Smt. Kamali Kamin will be referred to the Apex Medical Board of the management for assessment of her age. The age of the concerned lady as will be assessed by the Apex Medical Board, will be accepted as correct by all concerned for the purpose of deciding the date of her superannuation.

(b) That, in case, the concerned lady will be found below sixty years of age on the basis of the report of Apex Medical Board, she will be allowed to resume her duty and will be allowed to continue in employment till she will complete sixty years of age. The continuity of her service will be maintained for the purpose of payment of gratuity to her. So, however, she will not be entitled to wages for the period of her idleness from 1-1-88 till the date of her resumption of duty.

(c) That, in case, the concerned lady will be found above sixty years of age as per the report of the Apex Medical Board, she will have no claim of any kind on any Court and will accept her superannuation with effect from 1-1-1988 as legal and valid.

2. That, in view of the above settlement, there remains nothing to be adjudication. Under the facts and circumstances stated above, the Hon'ble Tribunal will be graciously pleased to accept the settlement

as fair and proper and be pleased to pass the award in terms of the settlement.

For the Workman.

(Ram Pravesh Singh)

Area Secretary,
BCKU.

Sd/-

L.T. Impression of
Smt. Kamali Kamin
(Kamali Kamin)

Workman.

For the Employers.

Sd/-

(N. C. Nirula)

Chief General Manager,
Block-II Area.

Sd/-

(M. K. Singh)
Personnel Manager,
Block-II Area.

Witnesses :

1. Sd| (PN Choudhary)
Dy. PM, Block-II Area.

2. Sd|-(Jagdish Kumar)
Clerk,

Personnel Deptt. Block-II Area.

Part of the Award.

Sd/-

Presiding Officer,
Cum-Labour Court (No. 1) Dhanbad.
Central Govt. Industrial Tribunal.

नई दिल्ली, 1 अप्रैल, 1992

का.प्रा. 1119 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मैसर्स भारत कोकिंग कोल लि. का पूतकी बलिहारी क्षेत्र के प्रबन्धतन्त्र से संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निश्चित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण (सं. 1), धनबाद के पचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-3-1992 को प्राप्त हुआ था।

[फाइल संख्या एल-20012(41)/90-आई.आर. (कोल-1)]

बी.के. वेणुगोपालन, डैस्क अधिकारी

New Delhi, the 1st April, 1992

S.O. 1119.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal (No. 1), Dhanbad, as shown in the Annexure in the Indus-

trial Dispute between the employers in relation to the management of Pootkee Balihari Area of M/s BCCL and their workmen, which was received by the Central Government on 23-3-1992.

[No. L-20012/(41)90 IR(Coal-I)]

V. K. VENUGOPALAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947

Reference No. 200 of 1990

PARTIES : Employers in relation to Pootkee Balihari Area of M/s. B.C.C. Ltd.

AND

Their Workmen.

PRESENT :

Shri S. K. Mitra, Presiding Officer.

APPEARANCES :

For the Employers : Shri S.N. Sinha, Advocate.

For the Workmen : Shri S. N. Goswami, Advocate.

STATE : Bihar. **INDUSTRY :** Coal.

Dhanbad, the 17th March, 1992

AWARD

The present reference arises out of Order No. L-20012/41/90-I.R.(Coal-I), dated 31-8-90 passed by the Central Government in respect of an industrial dispute between the parties mentioned above. The subject matter of the dispute has been specified in the schedule to the said order and the said schedule runs as follows :—

“Whether the demand of Janta Mazdoor Sangh for promotion of Shri Lakhandeo Singh Night Guard, Pootkee Balihari Area of M/s. B.C.C.L. for promotion from Technical Grade ‘G’ to Technical Grade ‘F’ (now Grade-E) is justified ? If so, to what relief the workman is entitled to ?”

2. The dispute has been settled out of Court. A memorandum of settlement has been filed in Court I have gone through the terms of settlement and I find them quite fair and reasonable. There is no reason why an award should not be panel on the basis of terms and conditions laid down in the memorandum of settlement. I accept it and pass an award accordingly. The memorandum of settlement shall from part of the award.

3. Let a copy of this award be sent to the Ministry as required under section 15 of the Industrial Disputes Act, 1947.

S. K. MITRA, Presiding Officer

BEFORE THE PRESIDING OFFICER, CENTRAL
GOVT. INDUSTRIAL TRIBUNAL NO. I
DHANBAD

Ref. No. 200/90.

Employers in relation to Pootkee Balihari Area of
M/s. BCCL.

AND

Their Workmen (Represented by Janta Mazdoor
Sangh

JOINT COMPROMISE PETITION

The humble petition on behalf of both the parties most respectfully shewth :

(1) The Central Govt. Ministry of Labour, New Delh by a Notification No. 1-20012(Coal-1) dated 31-8-90 referred the Industrial dispute for an adjudication under section (10)1(d) of the Industrial Disputes Act, 1947 which is pending before this honourable Tribunal

(2) That the issue contained in the Schedule of reference is reproduced below :

“Whether the demand of the Janta Mazdoor Sangh for promotion of Sri Lakhandeo Singh, Night Guard, Pootkee Balihari Area of M/s. Bharat Coking Coal Limited for promotion from Technical Grade as ‘G’ to Tech. Grade ‘F’ (New Grade ‘E’ is justified ? If not what relief the work- is entitled to”.

(3) That subsequent to the reference the parties discussed the aforesaid Industrial Dispute between themselves and have settled the same on the following terms and conditions :—

TERMS AND CONDITIONS OF SETTLEMENT

(1) That Sri Lakhandeo Singh will be promoted Notionally as Head Night Security Guard in the appropriate Grade as has been done in the case of his counter-parts i.e. from 1-8-1980

(2) That he will not be entitled for any back wages and national fixation due to grant of national seniority.

(3) That in the matter of his future promotion over and above as indicated in para-1 of this settlement he will be guided by the cadre scheme/policy of the company.

(4) That this settlement is fair and proper and will resolve the instant dispute in full

It is therefore, prayed that your honour may be graciously pleased to accept the settlement and pass an Award in terms of the settlement.

And for this act of kindness, the parties shall ever pray.

Representing Workman

Sd/-

1. Sri Pradip Kumar Sinha
Secretary, J.M.S.
Pootkee Balihari Area.

WITNESSS :

Sd/-
Lakhandeo Singh
Night Guard
(Agrieved workman)

Representing Employers

Sd/-
1. (R. KHANNA)
General Manager
POOTKEE BALIHARI AREA,
2. (D. B. Singh)
Dy. Chief Personnel Manager
P.B. Area

Part of the Award.

Sd/-
Presiding Officer,
Central Govt. Industrial Tribunal,
Cum-Labour Court (No. 1) Dhanbad.

नई दिल्ली, 25 मार्च, 1992

का.मा. 1120 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण से, केन्द्रीय सरकार, बैंक ऑफ इंडिया के प्रबन्धन के संवर्धन निष्ठाओं और उनके कर्मचारियों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-3-92 को प्राप्त हुआ था।

[सं एल-12012/137/86-डी-1 (ए)]

वी.के. वेणुगोपालन, डेस्क अधिकारी

New Delhi the 25th March 1992

S.O. 1120.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure in the Industrial dispute between the employers in relation to the Mgt. of Bank of India and their workmen, which was received by the Central Government, on the 23-3-92.

[No. L-12012/137/86-D.II(A)]

V. K. VENUGOPALAN, Desk of Officer

ANNEXURE

BEFORE HON'BLE SHRI V. N. SHUKLA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL - CUM - LABOUR COURT, JABALPUR (M.P.)

CASE NO. CGIT/LC(R)(39)/1987

PARTIES :

Employers in relation to the management of Bank of India, Kharagon Branch, Khandwa Region, Khandwa (M.P.) and their workman Shri Arvind Kumar Jhawar.

Agricultural Assistant, Ahmedpur, 26
Sitlamata Ki Gali, Opp. Maheshwari
Dharmashal, Ramganj, Khandwa (M.P.)

APPEARANCES :

For Workman,—Shri P. N. Sharma

For Management,—Shri R. K. Kardam

INDUSTRY : Banking DISTRICT : Khandwa (M.P.)

AWARD

Dated : March 5th 1992

This is a reference made by the Central Government, Ministry of Labour, vide its Notification No. L-12012/137/86-D.II(A) Dated 16th April, 1987 for adjudication of the following dispute :—

"Whether the action of the management of Bank of India, Kharagon Branch in dismissing Shri Arvind Kumar Jhawar, Agricultural Assistant, Ahmedpur Branch w.e.f. 11-2-1984 is justified? If not, to what relief the workman is entitled and from what date?"

2. This Tribunal vide its Order dated 1st January, 1991 held that the departmental enquires are proper and legal and the question to permit the management to lead evidence in regard to the misconduct of the workman before this Tribunal does not arise. Issue No. 1 and 3 have been answered accordingly.

3. We now therefore confine ourselves to the pleadings relating to the other issues.

4. The workman, Shri Arvind Kumar Jhawar of Kharagon Branch, was working as an Agricultural Assistant with the management and he was dismissed from service with effect from 11-2-1984 after holding a departmental enquiry. The charges against the workman are as under :—

CHARGES :

1. On 16th November, 1978 you posted credit voucher of Rs. 400/- in the loan account of M/s Ratilal Devram. After the checking of the ledger by the Branch Manager, you altered the balance of the loan account of M/s. ratilal Devram from Rs. 1,161.05 to 1,161.04 with intention to dislocate the branch closing work.

Your aforesaid act of altering the balance of loan account of M/s. Ratilal Devram amounts to tampering with the Branch records which is an act prejudicial to the interest of the Bank which is a gross misconduct within the meaning of clause 19.5(j) of the First Bipartite Settlement, 1966.

2. On 24-6-1978 and 26-11-1979 you neither attended the office nor submitted your leave application despite Manager's request you did not give your leave application, subsequently, it was noticed that you unauthorisedly marked your presence on aforesaid dates. When the Manager questioned about the same, you submitted your leave application subsequently.

Your aforesaid act of marking your presence unauthorisedly; when you did not attend the office amounts to an act prejudicial to the interest of the Bank which is a gross misconduct within the meaning of clause 19.5 (j) of the First Bipartite Settlement, 1966.

3. You refused to sign the office circular dated 22-8-1980 issued by the Manager regarding maintaining Office decorum and punctual attendance etc., despite the Manager's instructions to do so.

Your aforesaid act of refusal to sign the office circular amounts to an act of wilful disobedience to lawful and reasonable orders of Manager, which is a gross misconduct within the meaning of clause 19.5 (e) of the First Bipartite Settlement, 1966.

4. When your request transfer to District Office, Khandwa Branch Ahmedpur Khargaon was not accepted by the Bank, you wrote a letter dated 20-8-1980 to the then regional Manager, Bhopal (Present Zonal Manager, Bhopal) in derogatory language and also threatened him of taking up the matter to the Parliament and Press.

Your aforesaid act of using derogatory language in your letter dated 20-8-1980 and also threatening the then Regional Manager, Bhopal to take up the matter with Parliament and Press amounts to an act prejudicial to the interest of the Bank which is a gross misconduct within the meaning of clause 19.5 (j) of the First Bipartite Settlement, 1966.

5. You lodged following complaints against the Manager of the Branch Shri R. C. Sharma levelling false and baseless allegations against him with intention to spoil his image in the eyes of his superior authorities. When you were asked by the then District Manager, East Nimar District to substantiate the allegations against the Manager you were not in a position to do so.

Date of complaint.	Addressed to	Copy endorsed to
--------------------	--------------	------------------

1.14-01-1980	D.M. East Nimar Regional Manager, Bhopal	
--------------	--	--

2.07-02-1980	G.M. Head Office Regional Manager, Bhopal D.M. east Nimar District	
--------------	--	--

3.21-02-1980	G.M. Head Office R. M. (M.P.) Region, Bhopal	
--------------	--	--

4.19-03-1980	Regional Manager Dist. Manager. Khandwa M.P. Region, Bhopal G.M. Head Office.	
--------------	---	--

Your aforesaid act of lodging false and baseless complaints against the then Manager Shri R. C. Sharma with intention to spoil his image in the eyes of his superior authorities amounts to an act prejudicial to the interest of the Bank which is gross misconduct within the meaning of clause 19.5 (j) of the First Bipartite Settlement, 1966.

6. On 3-4-1981 you left the branch at 4.00 p.m. i.e. before the close of office hours without permission of the Branch Manager.

Your aforesaid act of leaving the Bank premises early without permission of the branch Manager amounts to an act of irregular unpunctual attendance which is a minor misconduct within the meaning of clause 19.7 (b) of First Bipartite Settlement 1966.

7. You were entrusted to do the following duties as agricultural clerk : —

- a. Posting of agricultural ledgers;
- b. Preparation of Agricultural Finance proposals and documents;
- c. maintenance of relative registers|ledgers;
- d. pre-post sanction inspections;
- e. preparing of all agricultural finance statements including Lead Bank Scheme and A.R.D.C.; and
- f. Despatch and Branch Daily statements.

You neither prepared any proposals nor obtained or completed any security documents in any of the accounts. You did not complete|carry out pre-post inspections in most of the agricultural advance accounts. Despite the Manager's repeated instruction, you neglected your routine duties and did not complete duties expected|allotted to you.

Your aforesaid act of not carrying out your normal duties and not completing the work allotted to you by the branch amounts to an act of neglect of work which is a minor misconduct within the meaning of clause 19.7(c) of the First Bipartite Settlement, 1966."

5. Later on, the workman concerned, was issued Charge-Sheet No. RO : ASG : 2369 Dated 24th September, 1983 for the following misconduct : —

CHARGE NO. I

On 13th September, 1983 at 11.00 AM Shri A. K. Jhavar was reading newspaper in the branch premises and when the Manager, Ahmedpur Khargaon branch advised him not to read the news-paper Shri Jhavar started shouting at the Manager and passed uncalled for remarks and insulted him. Shri Jhavar lifted a chair to attack the Manager, threatening that he (the Manager) would be torn into pieces. He behaved in such a manner in the presence of staff members and customers of the branch during working hours, while on duty.

This amounts to an act of riotous and disorderly behaviour on the premises of the Bank which is a major misconduct in terms of para 19.5(c) of the Bipartite Settlement.

CHARGE NO. II.

On the same day, i.e. 18th September, 1983, when the Deputy Regional Manager, Regional Office, Khandwa visited Ahmedpur Khargaon branch to make preliminary

enquiry into the matter, Shri Jhavar levelled false allegations against the Deputy Regional Manager that he (the Deputy Regional Manager) has misbehaved with him (Shri Jhavar). In fact, Shri Jhavar misbehaved with the Deputy Regional Manager and shown a disorderly manner in the presence of the staff members.

This also amounts to a disorderly behaviour on the premises of the Bank which is a major misconduct in terms of para 9.5(c) of the Bipartite Settlement. It also amounts to failure to show proper consideration and courtesy towards officers and act of unseemly behaviour while on duty which is a minor misconduct in terms of para 19.7(j) of the Bipartite Settlement.

CHARGE NO. III

On 12th September, 1983 Shri Jhavar was advised by the Manager, Ahmedpur Khargaon branch to go for field duties at village Gol on 13-9-1983 in the morning by Jain Bus at 8.15 A.M. However, Shri Jhavar did not carry out the instructions of the Manager under the pretext that he missed the bus.

This amounts to wilful insubordination and disobedience of lawful and reasonable order of the superior which is a major misconduct in terms of para 19.5(c) of the Bipartite Settlement.

6. The workman has started that he was under medical treatment for Psycho-Neurosis from 23-9-1982 to 27-3-1984 under Dr. V. G. Dhodapkar, Superintendent, Mental Hospital, Indore (M.P.) He was charge-sheeted for misconducts on 12-1983, 13-9-1983, 12-1-1984 and others by the Regional Manager, Bank of India, Khandwa Region. The workman was, however, mentally sick during this period. It is substantially on this count only that the validity of the departmental enquiry has been questioned. As pointed out above, this Tribunal has already held that the grounds raised by the workman are not tenable and the departmental enquiry been validly held.

7. The workman has nowhere questioned the propriety and quantum of punishment as also perversity of findings. The management has, however, denied the claim of the workman.

8. I will however, deal with this aspect because issues in this regard have been framed which are as under : —

ISSUES

1. Whether the domestic/departmental enquiry is proper and legal?
2. Whether the punishment awarded is proper and legal?
3. Whether the management is entitled to lead evidence before this Tribunal?

4. Whether the termination/action taken against the workman is justified on the facts of the case?

5. Relief and costs?

9. I will take up all the remaining issues i.e. Issue No. 2, 4 & 5 together.

FINDINGS WITH REASONS :

10. Having gone through the D. paper I find that the charge particularly relating to assault and misbehaviour are grave and there is evidence in this regard. The management has examined as many as eight witnesses in support of the alleged charges. There is no evidence to show that the findings as arrived by the management and the order of penalty is in any way excessive. The findings cannot be said to be perverse. Even the workman in his cross-examination last para has admitted that he could do anything wrong during his ailment and this has done as per the charge-sheet.

11. Even assuming that the workman has a normal behaviour throughout due to any ailment whatsoever often the question would be whether he deserves to be taken back in service in view of these misconducts particularly when his plea of insanity, mental depression or Psycho-Neurosis is questionable.

12. The workman does not deserve any sympathy. The punishment awarded is proper and legal and the termination/action taken against the workman is justified on the facts of the case. The workman is not entitled to any relief. Issues are answered accordingly.

13. The Reference is answered as follows :—

The action of the management of the Bank of India, Khargaon Branch in dismissing Shri Arvind Kumar Jhavar, Agricultural Assistant, Ahmedpur Branch w.e.f. 11-2-1984 is justified. He is not entitled to any relief. No order as to costs.

V. N. SHUKLA, Presiding Officer

नई दिल्ली, 2 अप्रैल, 1992

का.आ.1121 :—खान अधिनियम, 1952 (1952 का 35) की धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार निम्नलिखित अधिकाधिकारियों को अगले आवेशों तक मुख्य खान निरीक्षक के अधीन खान निरीक्षक नियुक्त करती है :—

1. श्री आर सुब्रह्मनियम
2. श्री पार्थ सारथी बनर्जी
3. श्री शिव शंकर मिश्र
4. श्री चन्द्र भानु प्रसाद
5. श्री एम.एस.आर. कृष्ण प्रसाद
6. श्री संजीवन राय

[सं. ए-12025/6-90-आई एस एच आई सेफ)]

आर.टी. पाण्डेय, उप सचिव

New Delhi, the 2nd April, 1992

S.O. 1121.—In exercise of the powers conferred by sub-section (1) of the Section 5 of the Mines Act, 1952 (35 of 1952) the Central Government hereby appoints the following officers as Inspector of Mines subordinate to the Chief Inspector of Mines, until further orders :—

1. Shri R. Subramanian
2. Shri Partha Sarathi Banerjee

3 Shri Shao Shankar Mishra

4. Shri Chandra Bhanu Prasad

5. Shri N.S.R. Krishna Prasad

6. Shri Sanjeebon Ray

[No. A-12025/6/90-ISHI Sec.]

R. T. PANDEY, Dy. Secy.

